

# Legislative Journal

TUESDAY, JUNE 7, 1983

SESSION OF 1983

167TH OF THE GENERAL ASSEMBLY

No. 46

## HOUSE OF REPRESENTATIVES

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

### THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

#### PRAYER

REV. DR. DAVID R. HOOVER, chaplain of the House of Representatives, from McConnellsburg, Pennsylvania, offered the following prayer:

Heavenly Father, Thou art always by our side and ever in our midst to sustain and direct us in Thy way. We turn to Thee amidst the tensions and anxieties of this life with the fullest realization that we need Thee and Thy guiding hand. Especially do we ask Thee to be with the members of this House of Representatives as they seek to complete the tasks which await them. Counsel them with Thy spirit, guide them with Thy presence, fulfill Thy truth through their efforts, and bestow upon them Thy everlasting peace.

Through Thy blest name and the power of Thy presence, we humbly pray. Amen.

#### PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

#### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, June 6, 1983, will be postponed until the Journal is in print. The Chair hears no objection.

#### JOURNAL APPROVED

The SPEAKER. The Journal for Tuesday, May 24, 1983, is in print. Without objection, the House has adopted this Journal. The Chair hears no objection.

#### BILL SIGNED BY SPEAKER

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

##### SB 5, PN 850

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, regulating repair, replacement and other activities relating to odometers by imposing both civil liability and criminal penalties.

## LEAVES OF ABSENCE

The SPEAKER. Are there any leaves of absence for the Democratic Party? The gentleman from Philadelphia, Mr. Pievsky, indicates there are no requests for leaves.

Are there any leaves of absence for the Republican Party? The minority whip indicates there are no requests for leaves.

## MASTER ROLL CALL RECORDED

The SPEAKER. The Chair is about to take the master roll call. The members will proceed to vote.

The following roll call was recorded:

### PRESENT—203

Afflerbach	Fargo	Lloyd	Rudy
Alderette	Fattah	Lucyk	Ryan
Angstadt	Fee	McCall	Rybak
Armstrong	Fischer	McClatchy	Saloom
Arty	Flick	McHale	Salvatore
Baldwin	Foster, W. W.	McIntyre	Saurman
Barber	Foster, Jr., A.	McMonagle	Scheetz
Battisto	Freeman	McVerry	Schuler
Belardi	Freind	Mackowski	Semmel
Belfanti	Fryer	Madigan	Serafini
Beloff	Gallagher	Maiale	Seventy
Blaum	Gallen	Manderino	Showers
Book	Gamble	Manmiller	Sirianni
Bowser	Gannon	Markosek	Smith, B.
Boyes	Geist	Marmion	Smith, L. E.
Brandt	George	Mayernik	Snyder, D. W.
Broujos	Gladeck	Merry	Snyder, G. M.
Bunt	Godshall	Michlovic	Spencer
Burd	Greenwood	Micozzie	Spitz
Burns	Grieco	Miller	Stairs
Caltagirone	Gruitza	Miscevich	Steighner
Cappabianca	Gruppo	Moehlmann	Stevens
Carn	Hagarty	Morris	Stewart
Cawley	Haluska	Mowery	Stuban
Cessar	Harper	Mrkonic	Sweet
Cimini	Hasay	Murphy	Swift
Civera	Hayes	Nahill	Taylor, E. Z.
Clark	Herman	Noye	Taylor, F. E.
Clymer	Hershey	O'Brien	Telek
Cohen	Hoefel	O'Donnell	Tigue
Colafella	Honaman	Olasz	Trello
Cole	Hutchinson	Oliver	Truman
Cordisco	Itkin	Perzel	Van Horne
Cornell	Jackson	Peterson	Vroon
Coslett	Jarolin	Petrarca	Wachob
Cowell	Johnson	Petrone	Wambach
Coy	Kasunic	Phillips	Wargo
Deluca	Kennedy	Piccola	Wass
DeVertter	Klingaman	Pievsky	Weston
DeWeese	Kosinski	Pistella	Wiggins
Daley	Kowalshyn	Pitts	Williams
Davies	Kukovich	Pott	Wilson
Dawida	Lashinger	Pratt	Wogan
Deal	Laughlin	Preston	Wozniak
Dietz	Lehr	Punt	Wright, D. R.

Dininni	Lescovitz	Rappaport	Wright, J. L.
Dombrowski	Letterman	Reber	Wright, R. C.
Donatucci	Levi	Reinard	Zwilk
Dorr	Levin	Richardson	
Duffy	Linton	Rieger	Irvis,
Durham	Livengood	Robbins	Speaker
Evans			

ADDITIONS—0  
 NOT VOTING—0  
 EXCUSED—0

**RESOLUTION REPORTED FROM COMMITTEE**

**HR 100, PN 1324** By Rep. MANDERINO  
 Urging the Governor to immediately restore certain Welfare benefits.

**RULES.**

**BILLS REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.  
 Mr. MANDERINO. Mr. Speaker, I move that the following bills be removed from the table and placed on the active calendar:

- HB 35;
- HB 227;
- HB 511;
- HB 534;
- HB 547; and
- HB 877.

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

**WELCOMES**

The SPEAKER. The Chair is delighted to welcome to the hall of the House Cub Scout Pack 147 from Crafton Heights. Mr. Allen Inwood is the cub master, and Darlene Lucas is the den mother. They are here as the guests of Representative Tom Petrone.

With us also today, as the guest of Representative Ken Brandt and the Lancaster County delegation, is Carol A. Saam, who is also Miss Elizabethtown, and she is a student at the University of Delaware. She is acting as a guest page here today.

We have also with us, as the guests of Representative Peter Daley, Peg Carloson, Jim Harris, and Olga Harris of California, Pennsylvania.

**BOWLING AWARDS PRESENTED**

The SPEAKER. The Chair calls to the podium Norman Brumberg, who, with his wife, Elaine Brumberg, operates the Bowling Proprietors Association of Pennsylvania. Also with them is Al Buncher, the secretary of the association. Mr. Brumberg, come to the podium, please.

Mr. BRUMBERG. Thank you, Mr. Speaker.

On behalf of the Bowling Proprietors Association of Pennsylvania and our 800,000 bowlers, I would like to thank you for attending our first annual Legislative Fun Night Bowling Tournament.

In every tournament there are winners. There will be two different categories receiving awards for last night's bowling. The high-game bowler of the night, for his outstanding bowling, is Bob Robbins. Will he please step forward and receive his plaque.

Now for a very special and difficult award. In order to be impartial, we gave this to one bowler on each side of the House, one Republican and one Democrat. The low bowler award for the night, Republican side, goes to Bill Foster. Will he come up and receive his outstanding award.

And now for the other side of the House. The Democratic outstanding low bowler was Steve Levin.

Again let me thank you for attending our Fun Night, and we hope to see you again next year for another great time. Remember, bowling is the number one family participating sport in Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

**CALENDAR**

**BILLS AGREED TO ON SECOND CONSIDERATION**

The following bills, having been called up, were considered for the second time and agreed to, and ordered transcribed for third consideration:

**HB 820, PN 917; and HB 855, PN 965.**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 79, PN 79**, entitled:

An Act repealing the act of May 28, 1945 (P. L. 1101, No. 399), entitled "An act providing for the indexing of the Legislative Journal and fixing the sum allowed therefor."

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—202**

Afflerbach	Evans	Livengood	Robbins
Alderette	Fargo	Lloyd	Rudy
Angstadt	Fattah	Lucyk	Ryan
Armstrong	Fee	McCall	Rybak
Arty	Fischer	McClatchy	Saloom
Baldwin	Flick	McHale	Salvatore
Barber	Foster, W. W.	McIntyre	Saurman
Battisto	Foster, Jr., A.	McMonagle	Scheetz
Belardi	Freeman	McVerry	Schuler
Belfanti	Freind	Mackowski	Semmel
Beloff	Fryer	Madigan	Serafini

Blaum	Gallagher	Maiale	Seventy
Book	Gallen	Manderino	Showers
Bowser	Gamble	Manmiller	Sirianni
Boyes	Gannon	Markosek	Smith, B.
Brandt	Geist	Marmion	Smith, L. E.
Broujos	George	Mayernik	Snyder, D. W.
Bunt	Gladeck	Merry	Snyder, G. M.
Burd	Godshall	Michlovic	Spencer
Burns	Greenwood	Micozzie	Spitz
Caltagirone	Grieco	Miller	Stairs
Cappabianca	Gruitza	Miscevich	Steighner
Carn	Gruppo	Moehlmann	Stevens
Cawley	Hagarty	Morris	Stewart
Cessar	Haluska	Mowery	Stuban
Cimini	Harper	Mrkonc	Sweet
Civera	Hasay	Murphy	Swift
Clark	Hayes	Nahill	Taylor, E. Z.
Clymer	Herman	Noye	Taylor, F. E.
Cohen	Hershey	O'Brien	Telek
Colafella	Hoeffel	O'Donnell	Tigue
Cole	Honaman	Olasz	Trello
Cordisco	Hutchinson	Oliver	Truman
Cornell	Itkin	Perzel	Van Horne
Coslett	Jackson	Peterson	Vroon
Cowell	Jarolin	Petrarca	Wachob
Coy	Johnson	Petrone	Wambach
Deluca	Kasunic	Phillips	Wass
DeVerter	Kennedy	Piccola	Weston
DeWeese	Klingaman	Pievsky	Wiggins
Daley	Kosinski	Pistella	Williams
Davies	Kowalshyn	Pitts	Wilson
Dawida	Kukovich	Pott	Wogan
Deal	Lashingner	Pratt	Wozniak
Dietz	Laughlin	Preston	Wright, D. R.
Dininni	Lehr	Punt	Wright, J. L.
Dombrowski	Lescovitz	Rappaport	Wright, R. C.
Donatucci	Letterman	Reber	Zwilk
Dorr	Levi	Reinard	
Duffy	Levin	Richardson	Irvis,
Durham	Linton	Rieger	Speaker

NAYS—0

NOT VOTING—1

Wargo

EXCUSED—0

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.

**WELCOME**

The SPEAKER. The Chair at this time is delighted to welcome to the hall of the House the family of Mark Henrie. His father, Rev. Rodney; his mother, Nancy; and sister, Mary Beth, are here to the left of the Speaker. The Speaker is particularly delighted to welcome Mark Henrie here, for Mark Henrie is following a path that the Speaker followed half a century ago - he has won an oratorical contest. Let us hope he will be more successful in his next 50 years than the Speaker has been in his.

**MARK HENRIE PRESENTED**

The SPEAKER. The Chair now turns the podium over to Representative Belfanti, who will explain to you some of the attributes of this young man, and I ask that you listen very carefully to the young man.

Mr. BELFANTI. Thank you, Mr. Speaker.

'Ladies and gentlemen of the House, it gives me great pleasure to introduce Master Mark Henrie, who, in addition to being the valedictorian of the Mount Carmel High School graduating class this year, is also the Pennsylvania State champion of the American Legion Oratorical Contest and came in second in the United States.

The name of his speech is "Hanging Together," and it deals with the legislature. At this time it gives me great pleasure to introduce Mark Henrie.

Mr. HENRIE. "Hanging Together."

On July 4, 1776, at Independence Hall, Philadelphia, America's Declaration of Independence from Great Britain was signed by the Second Continental Congress. One member of that group was the venerable Pennsylvania patriot, Ben Franklin, and he perhaps best summed up the significance of their deed with the words, "We must all hang together, or assuredly we shall all hang separately." This was, of course, a pun, meaning that unless they were together in their endeavor for independence, they would most likely be hanged for treason. And the Colonies did indeed hang together during the coming years of war with Britain, but soon afterwards the close-knit group of States began to move apart when the Articles of Confederation were accepted as the Nation's plan of government.

Under the Articles, each State was considered virtually a sovereign nation, complete with the power to tax goods coming from another State. America was in disarray, and so in the summer of 1787, some of the best minds in the 13 States met in Philadelphia again, this time to replace the Articles of Confederation with a new, more effective document and plan of government. George Washington, James Madison, Alexander Hamilton, Benjamin Franklin, and many others, all of them enormous figures on the landscape of history and the creme de la creme of the Colonies, now known as the Founding Fathers, met to remake America. After a long series of debates, rewrites, more debates, more rewrites, opposing ideas and clashes over several issues, the Founding Fathers finally had what they believed to be the very best compromise which they could hope to achieve, and they held in their hands nothing less than the plan of government which is still used by the United States almost 200 years later. The weak Articles of Confederation which had been little more than a mutual defense treaty among the States was no more, and in its place stood the document which changed America from a confederation to a federation, or a union - the Constitution. As Thomas Jefferson said, "In questions of power, let no more be heard of confidence in man but bind him down from mischief by the chains of constitution." Thirteen undisciplined, unruly States met to meld themselves into one nation with a strong federal government.

The work of the Founding Fathers was careful and wise indeed, and our Constitution has been praised and imitated around the world since then. But what are the duties of an American citizen? This is a question which is seldom asked, for it seems obvious what an answer or answers should be. Our Constitution, however, holds no passage relating to the duties of an individual citizen, and this is, I believe, a deliberate oversight on behalf of the Founding Fathers. This was never intended to be spelled out in supreme law of the land, and there are several reasons for it.

First is in the general theory and practice of writing constitutions. As Alexander Hamilton said, "Constitutions should consist only of general provisions." The reason is that they must necessarily be permanent, and they cannot calculate for the possible change of things. Another reason is that the delegates to the Constitutional Convention had to produce a document acceptable to the majority of the people of the newly formed Nation, and with rebellious men like Shays looking for a reason to start a revolt against the Federal Government, they found it necessary to meet in secret and write a carefully worded, unoffending document. A third reason is that duties to king and country are more of a European concept than they are American, and the people of the United States hardly wanted to subscribe to an English-European establishment so soon after winning a war of independence from Britain.

But if this is so, and we cannot find what our duties are in the greatest document of the United States, where then can we look? Well, in order to become a citizen, an immigrant must first swear the naturalization oath, which states, "I hereby declare on oath that I absolutely abolish and entirely renounce and abjure all allegiance to any foreign prince, potentate, state, or sovereignty to which I have heretofore been a subject or citizen; that I will support and defend the Constitution and laws of the United States of America against all enemies, foreign and domestic; that I will bear true faith and allegiance to the same; that I will bear arms on behalf of the United States when required by the law; that I will perform noncombatant service in the Armed Forces of the United States when required by the law; and that I will perform work of national importance under civilian direction when required by the law, and that I take this oath freely, without any mental reservation or purpose of evasion, so help me God."

Here, then, we have a definite, itemized list of our duties to our country. First, we are to support and defend the Constitution and the laws. This is, above all else, the duty of every citizen, and anyone who obeys the law is fulfilling this duty. Whether he is driving under 55, filing accurate income tax, or simply voting, all are supporting the Constitution and the laws.

Next, it states explicitly that it is the duty of a citizen to bear arms on behalf of the United States and to perform noncombatant service in the Armed Forces when required by the law. This leaves no room for error. An immigrant evading the draft would be directly breaking his oath. In the same way, any U.S. citizen who evades the draft is not fulfilling his inherent duties as a citizen. "The safety of the State is the highest law," Justinian says. So those who fail in their mili-

tary duty are failing the highest law. And perhaps Gen. Douglas MacArthur, a truly great American, said it best when he declared, "Only those Americans who are willing to die for their country are fit to live."

The last duty defined by the oath is to perform work of national importance under civilian direction. This inclusion in the oath harkens back to the days of old Athens when all citizens were expected to hold public office at least once in their lives, if not a public office in the United States, then at least a civil service job. Now, not everyone is expected to become a civil serviceman, but those who do are perhaps fulfilling their duties more than most. I aspire to the U.S. Diplomatic Corps, so I hope better to fulfill my duties to my country. Anyone who helps the government in any way is also fulfilling this duty, from those who worked on the Manhattan Project to those who help a mailman find an unfamiliar address on his route.

But of all these duties, I feel that the first is truly the greatest and most paramount in importance. We must support and defend the Constitution and the laws. We must defend the Constitution. We as a Nation, with an ever-changing set of faces in the political arena, must have someplace to look for stability, and we may find such a rock in the Constitution.

Our Nation faced its greatest trial during the strife-filled days of the Civil War, when brother fought brother in a Union torn in two. Only through the unfailing efforts of our leaders did the Union, the Union embodied in the lines and paragraphs of the Constitution, remain intact. Our Constitution is, above all else, a statement of union, with an entirely new entity created from the several States. When a State ratifies the Constitution, it accepts the terms of union. States rights, though a truly noble aspiration, are strictly secondary to the aspirations of the greater body, the United States of America. Through determined efforts, remembering perhaps the words of Ben Franklin, the people of the Union States hung together and overcame their brothers who were opponents.

Today in the United States we face a situation not altogether dissimilar. States rights are not an issue, but social security is. Slavery is not an issue, but abortion is. The tariff-making powers of the Federal Government are not an issue, but nuclear arms are. Through all of the challenges we face, both individually and as a Nation, we must remember one thing: we are one Nation under God. The problems attacking our Nation seemingly at every corner can be overcome if we would only work together to conquer them. If we would remember that we are all Americans, no matter what our views on specific issues may be, if we would only remember the patriotic fervor of our fathers, then we need not consider the notion of the survival of America. If we all hang together for the good not only of America but of the World itself, then we need only speak of America victorious. Thank you.

The SPEAKER. I should like the family of Mark Henrie to come up so that you may see them better - Reverend Henrie, Mrs. Henrie, and the sister. And may I say that as long as we have young people who live up to the promise of Mark Henrie, those of us who are older need not worry about

turning the reins of government over to them. We are extremely proud of you, Mark, extremely proud, and your father and mother have a right to be honored along with you, for without them, we would not have heard from you. Again, we are proud of you.

**BILLS ON THIRD CONSIDERATION CONTINUED**

The House proceeded to third consideration of **SB 80, PN 80**, entitled:

An Act repealing the act of April 2, 1856 (P. L. 223, No. 243), entitled "A further supplement to the act of twenty-second of February, one thousand eight hundred and twenty-one, entitled 'An Act to alter and amend the fee bill.'"

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—201**

Afflerbach	Evans	Livengood	Rudy
Alderette	Fargo	Lloyd	Ryan
Angstadt	Fattah	Lucyk	Rybak
Armstrong	Fee	McCall	Saloom
Arty	Fischer	McClatchy	Salvatore
Baldwin	Flick	McHale	Saurman
Barber	Foster, W. W.	McIntyre	Scheetz
Battisto	Foster, Jr., A.	McMonagle	Schuler
Belardi	Freeman	McVerry	Semmel
Belfanti	Freind	Mackowski	Serafini
Beloff	Fryer	Madigan	Seventy
Blaum	Gallagher	Maiale	Showers
Book	Gallen	Manderino	Sirianni
Bowser	Gamble	Manmiller	Smith, B.
Boyes	Gannon	Markosek	Smith, L. E.
Brandt	Geist	Mayernik	Snyder, D. W.
Broujos	George	Merry	Snyder, G. M.
Bunt	Gladeck	Michlovic	Spencer
Burd	Godshall	Micozzie	Spitz
Burns	Greenwood	Miller	Stairs
Caltagirone	Grieco	Miscevich	Steighner
Cappabianca	Gruitza	Moehlmann	Stevens
Carn	Gruppo	Morris	Stewart
Cawley	Hagarty	Mowery	Suban
Cessar	Haluska	Mrkonic	Sweet
Cimini	Harper	Murphy	Swift
Civera	Hasay	Nahill	Taylor, E. Z.
Clark	Hayes	Noye	Taylor, F. E.
Clymer	Herman	O'Brien	Telek
Cohen	Hershey	O'Donnell	Tigue
Colafrilla	Hoeffel	Olasz	Trello
Cole	Honaman	Oliver	Truman
Cordisco	Hutchinson	Perzel	Van Horne
Cornell	Itkin	Peterson	Vroon
Coslett	Jackson	Petrarca	Wachob
Cowell	Jarolin	Petrone	Wambach
Coy	Johnson	Phillips	Wass
Deluca	Kasunic	Piccola	Weston
DeVerter	Kennedy	Pievsky	Wiggins
DeWeese	Klingaman	Pistella	Williams
Daley	Kosinski	Pitts	Wilson
Davies	Kowalshyn	Pott	Wogan
Dawida	Kukovich	Pratt	Wozniak
Deal	Lashingier	Preston	Wright, D. R.

Dietz	Laughlin	Punt	Wright, J. L.
Dininni	Lehr	Rappaport	Wright, R. C.
Dombrowski	Lescovitz	Reber	Zwikl
Donatucci	Letterman	Reinard	
Dorr	Levi	Richardson	Irvis,
Duffy	Levin	Rieger	Speaker
Durham	Linton	Robbins	

**NAYS—0**

**NOT VOTING—2**

Marmion      Wargo

**EXCUSED—0**

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.

\* \* \*

The House proceeded to third consideration of **SB 131, PN 137**, entitled:

An Act repealing the act of January 9, 1964 (Sp. Sess., 1963 P. L. 1432, No. 2), entitled "An act fixing the number of Senators in the General Assembly of the Commonwealth; apportioning the State into senatorial districts as provided by the Constitution; providing for the election of and the terms of office of the present and future elected Senators and repealing inconsistent laws."

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—200**

Afflerbach	Fargo	Lucyk	Rudy
Alderette	Fattah	McCall	Ryan
Angstadt	Fee	McClatchy	Rybak
Armstrong	Fischer	McHale	Saloom
Arty	Flick	McIntyre	Salvatore
Baldwin	Foster, W. W.	McMonagle	Saurman
Barber	Foster, Jr., A.	McVerry	Scheetz
Battisto	Freeman	Mackowski	Schuler
Belardi	Freind	Madigan	Semmel
Belfanti	Fryer	Maiale	Serafini
Beloff	Gallagher	Manderino	Seventy
Blaum	Gallen	Manmiller	Showers
Book	Gamble	Markosek	Sirianni
Bowser	Gannon	Marmion	Smith, B.
Boyes	Geist	Mayernik	Smith, L. E.
Brandt	George	Merry	Snyder, D. W.
Broujos	Gladeck	Michlovic	Snyder, G. M.
Bunt	Godshall	Micozzie	Spencer
Burd	Greenwood	Miller	Spitz
Burns	Grieco	Miscevich	Stairs
Caltagirone	Gruitza	Moehlmann	Steighner
Cappabianca	Gruppo	Morris	Stevens
Carn	Hagarty	Mowery	Stewart
Cawley	Haluska	Mrkonic	Suban
Cessar	Harper	Murphy	Sweet
Cimini	Hasay	Nahill	Swift
Civera	Hayes	Noye	Taylor, E. Z.
Clark	Herman	O'Brien	Taylor, F. F.
Clymer	Hershey	O'Donnell	Telek

Cohen	Hoeffel	Olasz	Tigue
Colafella	Honaman	Oliver	Trello
Cole	Itkin	Perzel	Truman
Cordisco	Jackson	Peterson	Van Horne
Cornell	Jarolin	Petrarca	Vroon
Coslett	Johnson	Petrone	Wachob
Cowell	Kasunic	Phillips	Wambach
Coy	Kennedy	Piccola	Wass
Deluca	Klingaman	Pievsky	Weston
DeVerter	Kosinski	Pistella	Wiggins
DeWeese	Kowalshyn	Pitts	Williams
Daley	Kukovich	Pott	Wilson
Davies	Lashingner	Pratt	Wogan
Deal	Laughlin	Preston	Wozniak
Dietz	Lehr	Punt	Wright, D. R.
Dininni	Lescovitz	Rappaport	Wright, J. L.
Dombrowski	Letterman	Reber	Wright, R. C.
Donatucci	Levi	Reinard	Zwikl
Dorr	Levin	Richardson	
Duffy	Linton	Rieger	Irvis,
Durham	Livengood	Robbins	Speaker
Evans	Lloyd		

NAYS—1

Dawida

NOT VOTING—2

Hutchinson Wargo

EXCUSED—0

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.

\* \* \*

The House proceeded to third consideration of SB 132, PN 138, entitled:

An Act repealing the act of January 9, 1964 (Sp. Sess., 1963 P. L. 1419, No. 1), entitled "An act to fix the number of Representatives in the General Assembly of the State; and to apportion the State into representative districts, as provided by the Constitution."

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—200

Afflerbach	Fargo	Lucyk	Rudy
Alderette	Fattah	McCall	Ryan
Angstadt	Fee	McClatchy	Rybak
Armstrong	Fischer	McHale	Saloom
Arty	Flick	McIntyre	Salvatore
Baldwin	Foster, W. W.	McMonagle	Saurman
Barber	Foster, Jr., A.	McVerry	Scheetz
Battisto	Freeman	Mackowski	Schuler
Belardi	Freind	Madigan	Semmel
Belfanti	Fryer	Maiale	Serafini
Beloff	Gallen	Manderino	Seventy
Blaum	Gamble	Manmiller	Showers
Book	Gannon	Markosek	Sirianni

Bowser	Geist	Marmion	Smith, B.
Boyes	George	Mayernik	Smith, L. E.
Brandt	Gladeck	Merry	Snyder, D. W.
Broujos	Godshall	Michlovic	Snyder, G. M.
Bunt	Greenwood	Micozzie	Spencer
Burd	Grieco	Miller	Spitz
Burns	Gruitza	Miscevich	Stairs
Caltagirone	Gruppo	Moehlmann	Steighner
Cappabianca	Hagarty	Morris	Stevens
Carn	Haluska	Mowery	Stewart
Cawley	Harper	Mrkonic	Suban
Cessar	Hasay	Murphy	Sweet
Cimini	Hayes	Nahill	Swift
Civera	Herman	Noye	Taylor, E. Z.
Clark	Hershey	O'Brien	Taylor, F. E.
Clymer	Hoeffel	O'Donnell	Telek
Cohen	Honaman	Olasz	Tigue
Colafella	Hutchinson	Oliver	Trello
Cole	Itkin	Perzel	Truman
Cordisco	Jackson	Peterson	Van Horne
Cornell	Jarolin	Petrarca	Vroon
Coslett	Johnson	Petrone	Wachob
Cowell	Kasunic	Phillips	Wambach
Coy	Kennedy	Piccola	Wass
Deluca	Klingaman	Pievsky	Weston
DeVerter	Kosinski	Pistella	Wiggins
DeWeese	Kowalshyn	Pitts	Williams
Daley	Kukovich	Pott	Wilson
Davies	Lashingner	Pratt	Wogan
Deal	Laughlin	Preston	Wozniak
Dietz	Lehr	Punt	Wright, D. R.
Dininni	Lescovitz	Rappaport	Wright, J. L.
Dombrowski	Letterman	Reber	Wright, R. C.
Donatucci	Levi	Reinard	Zwikl
Dorr	Levin	Richardson	
Duffy	Linton	Rieger	Irvis,
Durham	Livengood	Robbins	Speaker
Evans	Lloyd		

NAYS—1

Dawida

NOT VOTING—2

Gallagher Wargo

EXCUSED—0

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.

\* \* \*

The House proceeded to third consideration of HB 332, PN 983, entitled:

An Act amending the "Pennsylvania Industrial Development Authority Act," approved May 17, 1956 (1955 P. L. 1609, No. 537), providing preferential Pennsylvania Industrial Development Authority loans for coal projects.

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

Mr. LLOYD offered the following amendments No. A1062:

Amend Sec. 1 (Sec. 6.1), page 2, line 3, by inserting after "Use.—"

(a)

Amend Sec. 1 (Sec. 6.1), page 2, line 4, by inserting after "applications"

which equally satisfy all of the competitive criteria for a loan

Amend Sec. 1 (Sec. 6.1), page 2, line 6, by striking out “(a)” and inserting

(1)

Amend Sec. 1 (Sec. 6.1), page 2, line 11, by striking out “(b)” and inserting

(2)

Amend Sec. 1 (Sec. 6.1), page 2, line 17, by striking out “(c)” and inserting

(3)

Amend Sec. 1 (Sec. 6.1), page 2, line 23, by inserting before “Whenever”

(b)

Amend Sec. 1 (Sec. 6.1), page 2, line 23, by striking out “such”

Amend Sec. 1 (Sec. 6.1), page 2, line 27, by removing the period after “loan” and inserting if it is for an industrial development project involving:

(1) the construction of a facility if the facility would burn coal; a synthetic fuel derived in whole or in part from coal; or a mixture which includes coal or is derived in whole or in part from coal, either to heat the facility or as part of the industrial process carried out in the facility;

(2) the expansion of a facility if the expanded portion of the facility would burn coal; a synthetic fuel derived in whole or in part from coal; or a mixture which includes coal or is derived in whole or in part from coal, either to heat the expanded portion of the facility or as part of the industrial process carried out in the expanded portion of the facility; or

(3) the renovation of a facility if, because of the renovation, the facility would burn coal; a synthetic fuel derived in whole or in part from coal, or a mixture which includes coal or is derived in whole or in part from coal, either to heat the renovated facility or as part of the industrial process carried out in the renovated facility.

Amend Sec. 1 (Sec. 6.1), page 2, line 28, by inserting before “FOR”

(c)

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Somerset, Mr. Lloyd.

Mr. LLOYD. Thank you, Mr. Speaker.

This is what is in effect a technical amendment. It breaks the bill into subsections, and in order to do that, it has to repeat the language on the back page of the amendment. That is the same language that already appears in the bill at a further point at the present time. I urge adoption of the amendment.

**PARLIAMENTARY INQUIRY**

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

Mr. RAPPAPORT. Mr. Speaker, I rise to a parliamentary inquiry.

Mr. Speaker, how many amendments does the Speaker know of to this bill?

The SPEAKER. The Speaker has two - Mr. Lloyd's and Mr. Levi's. That is all.

Mr. RAPPAPORT. That is all?

The SPEAKER. We have no others up here.  
Mr. RAPPAPORT. Thank you, Mr. Speaker.

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

The following roll call was recorded:

**YEAS—202**

Afflerbach	Evans	Livengood	Robbins
Alderette	Fargo	Lloyd	Rudy
Angstadt	Fattah	Lucyk	Ryan
Armstrong	Fee	McCall	Rybak
Arty	Fischer	McClatchy	Saloom
Baldwin	Flick	McHale	Salvatore
Barber	Foster, W. W.	McIntyre	Saurman
Battisto	Foster, Jr., A.	McMonagie	Scheetz
Belardi	Freeman	McVerry	Schuler
Belfanti	Freind	Mackowski	Semmel
Beloff	Fryer	Madigan	Serafini
Blaum	Gallagher	Maiale	Seventy
Book	Gallen	Manderino	Showers
Bowser	Gamble	Manmiller	Sirianni
Boyes	Gannon	Markosek	Smith, B.
Brandt	Geist	Marmion	Smith, L. E.
Broujos	George	Mayernik	Snyder, D. W.
Bunt	Gladeck	Merry	Snyder, G. M.
Burd	Godshall	Michlovic	Spencer
Burns	Greenwood	Micozzie	Spitz
Caltagirone	Grieco	Miller	Stairs
Cappabianca	Gruitza	Miscevich	Steighner
Carn	Gruppo	Moehlmann	Stevens
Cawley	Hagarty	Morris	Stewart
Cessar	Haluska	Mowery	Stuban
Cimini	Harper	Mrkonjic	Sweet
Civera	Hasay	Murphy	Swift
Clark	Hayes	Nahill	Taylor, E. Z.
Clymer	Herman	Noye	Taylor, F. E.
Cohen	Hershey	O'Brien	Telek
Colafella	Hoefel	O'Donnell	Tigue
Cole	Honaman	Olasz	Trello
Cordisco	Hutchinson	Oliver	Truman
Cornell	Itkin	Perzel	Van Horne
Coslett	Jackson	Peterson	Vroon
Cowell	Jarolin	Petrarca	Wachob
Coy	Johnson	Petrone	Wambach
Deluca	Kasunic	Phillips	Wass
DeVertter	Kennedy	Piccola	Weston
DeWeese	Klingaman	Pievsky	Wiggins
Daley	Kosinski	Pistella	Williams
Davies	Kowalyszyn	Pitts	Wilson
Dawida	Kukovich	Pott	Wogan
Deal	Lashinger	Pratt	Wozniak
Dietz	Laughlin	Preston	Wright, D. R.
Dininni	Lehr	Punt	Wright, J. L.
Dombrowski	Lescovitz	Rappaport	Wright, R. C.
Donatucci	Letterman	Reber	Zwilk
Dorr	Levi	Reinard	
Duffy	Levin	Richardson	Irvis,
Durham	Linton	Rieger	Speaker

**NAYS—0**

**NOT VOTING—1**

Wargo

**EXCUSED—0**

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. LEVI offered the following amendments No. A1043:

Amend Title, page 1, line 23, by striking out "coal projects." and inserting

the use of coal, oil or gas produced in Pennsylvania.

Amend Sec. 1, (Sec. 6.1), page 2, lines 2 and 3, by striking out "Coal Use" and inserting

Use of Pennsylvania Produced Coal, Oil or Gas

Amend Sec. 1, (Sec. 6.1), page 2, line 7, by striking out "burn coal" and inserting

use coal, oil or gas

Amend Sec. 1 (Sec. 6.1), page 2, line 8, by inserting after "coal" where it appears the first time

, oil or gas

Amend Sec. 1 (Sec. 6.1), page 2, line 8, by striking out "coal" where it appears the second time

Amend Sec. 1 (Sec. 6.1), page 2, line 9, by striking out "coal" and inserting

any one of those elements

Amend Sec. 1 (Sec. 6.1), page 2, line 12, by striking out "burn coal" and inserting

use coal, oil or gas

Amend Sec. 1 (Sec. 6.1), page 2, line 13, by inserting after "coal" where it appears the first time

, oil or gas

Amend Sec. 1 (Sec. 6.1), page 2, line 13, by striking out "coal" where it appears the second time

Amend Sec. 1 (Sec. 6.1), page 2, line 14, by striking out "coal" and inserting

any one of those elements

Amend Sec. 1 (Sec. 6.1), page 2, line 18, by striking out "burn coal" and inserting

use coal, oil or gas

Amend Sec. 1 (Sec. 6.1), page 2, line 19, by inserting after "coal,"

oil or gas;

Amend Sec. 1 (Sec. 6.1), page 2, line 20, by striking out "coal" where it appears the first time

Amend Sec. 1 (Sec. 6.1), page 2, line 20, by striking out "coal" where it appears the second time and inserting

any one of those elements

Amend Sec. 1 (Sec. 6.1), page 2, line 23, by inserting before "Whenever"

(d)

Amend Sec. 1 (Sec. 6.1), page 2, line 28, by inserting before "For"

(e)

Amend Sec. 1 (Sec. 6.1), page 2, lines 28 and 29, by striking out "COAL" MEANS COAL PRODUCED" in line 28 and all of line 29, and inserting

"coal, oil or gas" means coal, oil or gas produced in Pennsylvania or any mixture of coal, oil or gas or derivative therefrom which has been produced in Pennsylvania.

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Venango, Mr. Levi.

Mr. LEVI. Thank you, Mr. Speaker.

My amendment adds to Mr. Lloyd's bill the language "Pennsylvania produced oil and gas." We have many gas wells in Pennsylvania that are capped because there is no market for our natural gas. We have many steelworkers who are out of work who make tubing and rods that go into these oil and gas wells. My district is half coal and half oil and gas, and I can see the need to protect Pennsylvania-produced

hydrocarbons, so I am adding Pennsylvania-produced oil and gas to this bill. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the Levi amendment, the Chair recognizes the gentleman from Somerset, Mr. Lloyd.

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

Mr. Speaker, as I understand it, the effort to include Pennsylvania-produced oil really does not make a whole lot of difference, because for the most part Pennsylvania-produced oil is lubricating oil and therefore would not be used as an energy source as far as heating or as part of the industrial process. That part, however, which deals with shut-in natural gas, Mr. Speaker, I am not sure on two scores that that is a good idea.

First, we have had a tremendous controversy in this Commonwealth, and actually across the country, about rising natural gas prices. The solution to that problem, in the opinion of many people, is to uncap that Pennsylvania gas and use it for the benefit of all Pennsylvania consumers. In fact, there is legislation which is being considered by this House of Representatives which is designed to do that. As I understand Mr. Levi's amendment, it would try to capture that gas for particular industrial establishments, which would therefore make it unavailable to other consumers, including business customers, who right now are being forced off the natural gas pipeline.

Secondly, Mr. Speaker, I am not sure this is a good idea because I do not really see how, as a practical matter, unless you build your plant right next to the gas well, or unless you are willing to put in a long pipeline from the gas well, that it is possible to distinguish between Pennsylvania gas and just the gas that comes through the pipeline, which is a combination of both Pennsylvania gas and out-of-State gas. So therefore, Mr. Speaker, I do not see how, in most cases, it would be possible to know whether only Pennsylvania gas was being used, and I ask for a "no" vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the Levi amendment, the Chair recognizes the gentleman from Venango, Mr. Levi.

Mr. LEVI. Thank you, Mr. Speaker.

There are certain areas where it is more economical to use Pennsylvania-produced gas than it would be to haul the solid hydrocarbons, and in many of our oil wells we do produce natural gas at the same level at the same time, so you must include the two liquid hydrocarbons and gas hydrocarbons in the same language.

There are many places that we need to get this mix and get this Pennsylvania gas out to improve the economy in north-west Pennsylvania. In fact, in the whole western section of Pennsylvania, down to the West Virginia line, we have a lot of unemployment and a lot of people going bankrupt because they have gas that they cannot put into the pipelines and cannot move around. Yes, you cannot run long pipelines economically. Also, it is more expensive at times to haul coal great distances, so I think we need to stimulate business in western Pennsylvania not only with coal but with oil and gas, and I would ask for an affirmative vote.



The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, for the second time on the Levi amendment, the gentleman from Somerset, Mr. Lloyd.

Mr. LLOYD. Mr. Speaker, first it should be noted that this bill as it is presently drafted would allow the use of coal in conjunction with natural gas, and so to that extent we are trying to create a market for natural gas that Mr. Levi is trying to do with his amendment.

Secondly, I would simply remind the members that there is a serious problem with high natural gas prices. One of the solutions to that problem is to make that shut-in gas used by all of the gas companies in Pennsylvania for the benefit of all consumers, not only those businesses which might locate next to a natural gas well but all of those which are spread throughout the gas companies' service territories, and including your residential customer-constituents. If we want to make that gas available for everybody, we should reject the Levi amendment and put pressure on the utility companies to use that gas, thereby reducing the price of natural gas for everybody and also creating jobs in the oil fields in Mr. Levi's area. I ask for a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—113

Angstadt	Fargo	Mackowski	Scheetz
Armstrong	Fischer	Madigan	Schuler
Arty	Flick	Manmiller	Semmel
Belardi	Foster, W. W.	Marmion	Serafini
Book	Foster, Jr., A.	Merry	Sirianni
Bowser	Freind	Micozzie	Smith, B.
Boyes	Gallen	Miller	Smith, L. E.
Brandt	Gannon	Moehlmann	Snyder, D. W.
Broujos	Geist	Mowery	Snyder, G. M.
Bunt	Gladeck	Murphy	Spencer
Burd	Godshall	Nahill	Spitz
Burns	Greenwood	Noye	Stairs
Cappabianca	Grieco	O'Brien	Steighner
Cawley	Gruppo	Perzel	Stevens
Cessar	Hasay	Peterson	Stewart
Cimini	Hayes	Phillips	Stuban
Civera	Herman	Piccola	Swift
Clymer	Hershey	Pitts	Taylor, E. Z.
Cordisco	Honaman	Pott	Vron
Cornell	Jackson	Punt	Wachob
Coslett	Johnson	Rappaport	Wambach
DeVerter	Kennedy	Reber	Wass
Davies	Klingaman	Reinard	Weston
Dawida	Lashinger	Robbins	Williams
Dietz	Lehr	Ryan	Wilson
Dininni	Levi	Saloom	Wogan
Dombrowski	McClatchy	Salvatore	Wright, J. L.
Dorr	McVerry	Saurman	Wright, R. C.
Durham			

NAYS—88

Afflerbach	Fattah	Livengood	Preston
Alderette	Fee	Lloyd	Richardson
Baldwin	Freeman	Lucyk	Rieger
Barber	Fryer	McCall	Rudy
Battisto	Gallagher	McHale	Rybak
Belfanti	Gamble	McIntyre	Seventy
Beloff	George	McMonagle	Showers
Blaum	Gruitza	Maiale	Sweet
Caltagirone	Haluska	Manderino	Taylor, F. E.
Carn	Harper	Markosek	Telek

Clark	Hoeffel	Mayernik	Tigue
Cohen	Hutchinson	Michlovic	Trello
Colafella	Itkin	Morris	Truman
Cole	Jarolin	Mrkonic	Van Horne
Cowell	Kasunic	O'Donnell	Wargo
Coy	Kosinski	Olasz	Wiggins
Deluca	Kowalshyn	Oliver	Wozniak
DeWeese	Kukovich	Petrarca	Wright, D. R.
Daley	Laughlin	Petrone	Zwikl
Deal	Lescovitz	Pievsky	
Donatucci	Letterman	Pistella	Irvis,
Duffy	Levin	Pratt	Speaker
Evans	Linton		

NOT VOTING—2

Hagarty                      Misceovich

EXCUSED—0

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?

PARLIAMENTARY INQUIRY

Mr. LLOYD. Parliamentary inquiry, Mr. Speaker.

The SPEAKER. Will the gentleman state his parliamentary inquiry.

Mr. LLOYD. The effect of the Levi amendment when added to the bill with my amendment, I wonder if you could explain how those two amendments will mesh in the bill.

The SPEAKER. The Chair is unable to give that explanation offhand, but the Chair has ruled—and again I would urge the members to pay attention to this—that if the Levi amendment, coming second in position, modifies the language of the Lloyd amendment, then that language of the Lloyd amendment is removed from the bill. The Chair considers that the bill which Mr. Levi amended is the original language plus the language added to it by Mr. Lloyd.

BILL PLACED ON THIRD CONSIDERATION POSTPONED CALENDAR

The SPEAKER. Without objection, at the request of the gentleman from Somerset, Mr. Lloyd, HB 332, PN 983, as amended, will lay over for printing and will appear on the third consideration postponed calendar. It should be available for a vote tomorrow. The Chair hears no objection.

REMARKS ON VOTE

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

Mr. MARMION. Thank you, Mr. Speaker.

I inadvertently missed my vote on SB 80. I wish to be recorded in the affirmative.

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

Mr. MARMION. Thank you, sir.

**BILLS ON THIRD CONSIDERATION CONTINUED**

The House proceeded to third consideration of **HB 500, PN 1227**, entitled:

An Act providing for emergency mortgage assistance for homeowners.

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

**DECISION OF CHAIR REVERSED**

The **SPEAKER**. The Chair rescinds its announcement that **HB 500** has been agreed to on second reading.

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

**BILL RECOMMITTED**

The **SPEAKER**. The Chair recognizes the majority leader.  
**Mr. MANDERINO**. Mr. Speaker, I move that **HB 500, PN 1227**, be recommitted to the Committee on Appropriations for a fiscal note.

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

\* \* \*

The House proceeded to third consideration of **HB 177, PN 200**, entitled:

An Act amending the "Community College Act of 1963," approved August 24, 1963 (P. L. 1132, No. 484), further providing for payments by the Commonwealth.

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

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

The question is, shall the bill pass finally?

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

**Mr. COWELL**. Thank you, Mr. Speaker.

**Mr. Speaker**, the Community College Act of 1963 provided for the establishment of community colleges to be sponsored by counties or local school districts. The principle that was established in that legislation was that the cost of community college education will be shared equally by the Commonwealth, by the sponsoring agents, and by the students. To insure that there would be no excessive costs incurred by the Commonwealth, a cap was of necessity placed in that law. The current cap calls for the State to be obligated to pay no more than one-third of costs not to exceed \$1,800. In other words, \$600 per student would be the maximum cost incurred by the State. That is an outdated figure now. **HB 177** attempts to make that more current and would increase that maximum cost figure to \$2,400, or the maximum cost per student to be incurred by the State to \$800.

The second section of this legislation deals with the non-liberal-arts approved occupational programs which of necessity are generally more costly programs. Right now the Commonwealth provides an extra stipend of \$150. This legislation would increase that extra stipend to \$300.

I would emphasize that to whatever extent the Commonwealth does not pay its fair share, that share or those excess costs are in fact carried by local taxpayers, either at the county level or at the local school district level. This legislation is intended to get us back to paying our fair share of the cost of community college education in the Commonwealth. I would urge that we support **HB 177**. Thank you.

The **SPEAKER**. The Chair thanks the gentleman.

On final passage, the Chair recognizes the lady from Chester, **Mrs. Taylor**.

**Mrs. TAYLOR**. Thank you, Mr. Speaker.

I rise in support of this legislation. I think there is no question in the minds of those of us who have worked very closely with those who are benefiting from our higher education system that we recognize exactly what the community colleges are doing for our students. I do support this legislation.

The **SPEAKER**. The Chair thanks the lady.

On the question recurring,  
Shall the bill pass finally?

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

**YEAS—203**

Afflerbach	Fargo	Lloyd	Rudy
Alderette	Fattah	Lucyk	Ryan
Angstadt	Fee	McCall	Rybak
Armstrong	Fischer	McClatchy	Saloom
Arty	Flick	McHale	Salvatore
Baldwin	Foster, W. W.	McIntyre	Saurman
Barber	Foster, Jr., A.	McMonagle	Scheetz
Battisto	Freeman	McVerry	Schuler
Belardi	Freind	Mackowski	Semmel
Belfanti	Fryer	Madigan	Serafini
Beloff	Gallagher	Maiale	Seventy
Blaum	Gallen	Manderino	Showers
Book	Gamble	Manmiller	Sirianni
Bowser	Gannon	Markosek	Smith, B.
Boyes	Geist	Marmion	Smith, L. E.
Brandt	George	Mayermik	Snyder, D. W.
Broujos	Gladeck	Merry	Snyder, G. M.
Bunt	Godshall	Michlovic	Spencer
Burd	Greenwood	Micozzie	Spitz
Burns	Grieco	Miller	Stairs
Caltagirone	Gruitza	Miscevich	Steighner
Cappabianca	Gruppo	Moehlmann	Stevens
Carn	Hagarty	Morris	Stewart
Cawley	Haluska	Mowery	Stuban
Cessar	Harper	Mrkonic	Sweet
Cimini	Hasay	Murphy	Swift
Civera	Hayes	Nahill	Taylor, E. Z.
Clark	Herman	Noye	Taylor, F. E.
Clymer	Hershey	O'Brien	Telek
Cohen	Hoeffel	O'Donnell	Tigue
Colafella	Honaman	Olasz	Trello
Cole	Hutchinson	Oliver	Truman
Cordisco	Itkin	Perzel	Van Horne
Cornell	Jackson	Peterson	Vroon
Coslett	Jarolin	Petrarca	Wachob
Cowell	Johnson	Petrone	Wambach
Coy	Kasunic	Phillips	Wargo
Deluca	Kennedy	Piccola	Wass
DeVerter	Klingaman	Pievsky	Weston
DeWeese	Kosinski	Pistella	Wiggins

Daley	Kowalyszyn	Pitts	Williams
Davies	Kukovich	Pott	Wilson
Dawida	Lashingner	Pratt	Wogan
Deal	Laughlin	Preston	Wozniak
Dietz	Lehr	Punt	Wright, D. R.
Dininni	Lescovitz	Rappaport	Wright, J. L.
Dombrowski	Letterman	Reber	Wright, R. C.
Donatucci	Levi	Reinard	Zwikl
Dorr	Levin	Richardson	
Duffy	Linton	Rieger	Irvis,
Durham	Livengood	Robbins	Speaker
Evans			

NAYS—0

NOT VOTING—0

EXCUSED—0

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 479, PN 947**, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for kindergartens.

On the question,

Will the House agree to the bill on third consideration?

Mr. MARKOSEK offered the following amendments No. A0663:

Amend Sec. 1 (Sec. 503), page 1, line 13, by striking out the bracket before may

Amend Sec. 1 (Sec. 503), page 1, line 13, by striking out "'] shall'"

Amend Sec. 1 (Sec. 503), page 1, line 15, by striking out "which" and inserting kindergartens

On the question,

Will the House agree to the amendments?

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

Mr. Speaker, the intent of this amendment is to negate the bill. The bill now calls for the mandating of kindergartens throughout the State, something that is currently not mandated. It is interesting to note that out of 501 school districts throughout the State, even without the mandate, 497 of them currently have a kindergarten. Now, many people have said that without this bill it will give school districts the ability to drop kindergarten if they want. What I am saying, Mr. Speaker, is that in the many years that this has come up, no school district has ever dropped kindergarten, nor would a school board probably attempt to drop kindergarten because of the public outrage that it would have. However, if this bill were to go through and kindergartens be mandated, those four school districts that currently do not have kindergartens would be forced to install a kindergarten at a great cost with

no guarantee that the students living in that district would go to that kindergarten because the bill does not specify that children of that age must attend kindergarten.

Mr. Speaker, I would close and conclude by saying that this is a good example of a situation that many of us have been confronted with during our campaigns and our stay in office, and that is that we have heard many times over and over that the State is mandating things for our educational system to provide but yet does not supply the money, the necessary funds for these mandates. I think by voting for the amendment and killing the bill, we would put a stop to this mandating of the State on our school districts. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the Markosek amendment, the Chair recognizes the gentleman from Philadelphia, Mr. Evans.

Mr. EVANS. Mr. Speaker, I rise to oppose the amendment.

I oppose the amendment, Mr. Speaker, and I would like to give you a few clarifications in regard to what the speaker just expressed. The question in regard to cost is that the State itself would have to be responsible for that cost, firstly.

Secondly, the statement that it would bring some undue burden upon that particular school district, there is no justification to that, because it is only geared to those individuals who happen to be 5 years old and the compulsory age is 8 to 16 in terms of attending schools. So if parents chose not to send their children to kindergarten, they would not have to send their children to any kindergarten school and then there would not be any need for that particular class.

Thirdly, the argument that the Representative expressed from the Allegheny County area, again, has been proven, because this bill has been passed two different sessions through this House. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

**MR. FRYER REQUESTED TO PRESIDE**

The SPEAKER. The Chair at this time turns over to his good friend, to act as Speaker pro tem, the gavel. The gentleman from Boyertown will take the gavel temporarily.

**THE SPEAKER PRO TEMPORE  
(LESTER K. FRYER) IN THE CHAIR**

**CONSIDERATION OF HB 479 CONTINUED**

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

Mr. DUFFY. Thank you, Mr. Speaker.

I think everybody on the floor here should support this amendment and put this bill into position to pass in a "may" situation.

It is about time that we here in Harrisburg send mandates back to the different school districts of what they have to do. There are four districts in the State of Pennsylvania that do not have kindergarten, and the people whom they have elected as school board members should make the decision. I think we should support this amendment. Thank you.

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

Mr. RICHARDSON. Mr. Speaker, I rise to oppose the amendment, and I do so for several reasons. One, I think it should be important to point out the fact that we have a situation in front of us that children's minds are a terrible thing to waste. It seems to me that when you talk about kindergarten, to even suggest not mandating kindergarten to our citizens, who have the right to choose between yes and no, certainly bothers me, because I do not think we are really going after the crux of the problem. If children are to grow up with sound understanding around where we are in 1983, to violate that by telling them that the reason why kindergarten should not be mandatory is because we want to in fact save money is not an answer to the problem. Kindergarten is the beginning of a child's future. There are some parents who agree that if they had kindergarten and it was mandatory then for them to make sure that it was mandated by the school district in which a person lives, that we would send our children there to those schools. I think that this amendment in fact guts the bill and loses the very intent that the Representative is in fact looking for. I would ask for a "no" vote on the amendment.

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

Mr. GAMBLE. Mr. Speaker, I rise in favor of the amendment.

We have been through this before. If today we mandate that each of the four school districts must have kindergarten, then we are also mandating a tax increase in each one of those districts. If those four districts see fit not to have a kindergarten— And there has been a rash of turnovers in the particular school district in my area; the school directors come and go, but the public still does not want a kindergarten. And what are we really looking at? We are looking at the finished product. Is there any proof whatsoever that proves that the 497 school districts graduate better students than the four school districts that do not have kindergarten? I think that is the bottom line.

I would ask my colleagues today not to mandate a tax increase on the Moon Area School District, which is in the 44th Legislative District. Thank you.

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

Mr. MARMION. Thank you, Mr. Speaker.

I refer to this as the new babysitting bill. No one has mentioned that it is lowering the age to 5 from 6. I agree with Mr. Markosek. I rise to support his amendment.

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

Mr. RICHARDSON. I would like to interrogate the prime sponsor of the amendment.

The SPEAKER pro tempore. Will the gentleman, Mr. Markosek, stand for a period of interrogation? The gentleman indicates he will, and the gentleman from Philadelphia, Mr. Richardson, is in order and may proceed.

Mr. RICHARDSON. Mr. Speaker, I would like to know whether or not this problem is a concern of yours in Allegheny County and whether or not an amendment to exclude the second-class city would be favorable to you?

Mr. MARKOSEK. Mr. Speaker, in answer to the gentleman's question, I am not sure exactly who all it does and does not refer to. I do know that it refers to my school district, which is in a borough. As far as second-class cities and first-class cities, I do not know.

I recommend, Mr. Speaker, that we vote "yes" on the amendment. I honestly do not know the answer to your question.

The SPEAKER pro tempore. If the Chair could intercede, the amendment is an amendment to the School Code, which covers the entire Commonwealth.

Mr. RICHARDSON. Well, if that is the answer to the question, vote.

The SPEAKER pro tempore. The Chair recognizes, for the second time, the gentleman from Philadelphia, Mr. Evans.

Mr. EVANS. Mr. Speaker, I would just like to put a few things on the record regarding the question of the fiscal note.

Already the present law states that there is a "may" provision. The fiscal note that was done by the Appropriations Committee states rather clearly that it would be only speculation in regard to the costs of this particular bill, because essentially there is a cap on the basic instructional subsidy. Secondly, the costs will only affect public transportation, school employee social security, school employee retirement, and special education. At this present time, as I expressed earlier, there is a cap, and there is .50 that an individual school district receives that provides kindergarten services. So the question regarding the amount of pressure that would be put upon the local school district is being exaggerated.

Those 497 other districts that have kindergarten that is adjusted to the needs of their particular school district clearly demonstrate that kindergarten does provide some type of service. I would hope those individuals who represent those five school districts in the Commonwealth will clearly understand that kindergarten is something that is essential to the growth and the development of young people and that clearly we should not here in Pennsylvania be fighting this the way that we are. Thank you again, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. DUFFY. Thank you, Mr. Speaker.

The other day I talked to the superintendent of the school district in my area that does not have kindergarten, and he told me at that time that at a minimum this would cost the school district \$150,000, and I feel that this is a tax raise that is in the offing. Let us turn it down and let the school board members in the local areas decide whether they would like to have kindergarten or not. Thank you.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

**YEAS—116**

Alderette	Fargo	Levi	Preston
Armstrong	Fee	Levin	Punt
Baldwin	Flick	Livengood	Robbins
Battisto	Foster, Jr., A.	Lloyd	Ryan
Belardi	Freind	Lucyk	Rybak
Blaum	Fryer	McCall	Saloom
Book	Gallen	McVerry	Saurman
Bowser	Gamble	Mackowski	Scheetz
Brandt	Gannon	Maiale	Schuler
Broujos	Geist	Markosek	Serafini
Bunt	George	Marmion	Seventy
Burd	Gladeck	Mayernik	Showers
Cappabianca	Godshall	Merry	Smith, L. E.
Cawley	Grieco	Miller	Spitz
Cimini	Gruitza	Miscevich	Stairs
Clark	Gruppo	Morris	Steighner
Clymer	Haluska	Mrkonic	Stevens
Colafella	Hasay	Murphy	Stewart
Cole	Herman	Nahill	Stuban
Cornell	Hershey	Noye	Sweet
Coslett	Hutchinson	Olasz	Taylor, E. Z.
Coy	Johnson	Oliver	Tigue
Deluca	Kennedy	Perzel	Trello
DeVerter	Klingaman	Peterson	Van Horne
Dawida	Kowalshyn	Petrarca	Vroon
Dombrowski	Laughlin	Petrone	Wachob
Dorr	Lehr	Pistella	Wargo
Duffy	Lescovitz	Pitts	Wilson
Durham	Letterman	Pratt	Wright, J. L.

**NAYS—84**

Afflerbach	Donatucci	McHale	Salvatore
Angstadt	Evans	McIntyre	Semmel
Arty	Fattah	McMonagle	Sirianni
Barber	Fischer	Madigan	Smith, B.
Belfanti	Foster, W. W.	Manderino	Snyder, D. W.
Beloff	Freeman	Manmiller	Snyder, G. M.
Boyes	Gallagher	Michlovic	Spencer
Burns	Greenwood	Micozzie	Swift
Caltagirone	Hagarty	Moehlmann	Taylor, F. E.
Carn	Harper	Mowery	Telek
Cessar	Hayes	O'Brien	Truman
Civera	Hoeffel	Phillips	Wambach
Cohen	Honaman	Piccola	Wass
Cordisco	Itkin	Pievsky	Weston
Cowell	Jackson	Pott	Wiggins
DeWeese	Jarolin	Rappaport	Williams
Daley	Kasunic	Reber	Wogan
Davies	Kosinski	Reinard	Wozniak
Deal	Kukovich	Richardson	Wright, D. R.
Dietz	Lashingier	Rieger	Wright, R. C.
Dininni	McClatchy	Rudy	Zwinkl

**NOT VOTING—3**

Linton  
O'Donnell

Irvis,  
Speaker

**EXCUSED—0**

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

**WELCOMES**

The SPEAKER pro tempore. The Chair welcomes the students from the fourth grade at Bangor Elementary Center and their teachers, Mr. Loiacono, Mrs. Nell, and Mrs. Brown, who are the guests of Representative Leonard Gruppo of Northampton County.

The Chair is pleased to welcome the students and teachers of the Chestnut Ridge School District in Bedford County. They are the guests of Representative Dietz of the 78th District.

The Chair welcomes Kathryn Schultz and Dean Graham from York County on the floor of the House. They are the guests of Greg Snyder, 94th District, York County.

The Chair welcomes Mr. Lenwood Robinson of Philadelphia County, who is the guest of Representative Chaka Fattah, the gentleman from Philadelphia.

Seated in the rear of the House are Mr. and Mrs. Zwinkl, who are the parents of Representative Kurt Zwinkl of Lehigh County. They have with them their friends, Mr. and Mrs. Poetle. They are at the rear of the House. Will the House greet them, please.

**REMARKS ON VOTE**

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

Mr. LINTON. Mr. Speaker, my lever did not register on the Markosek amendment to HB 479, and I would like to be recorded in the negative.

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

**CONSIDERATION OF HB 479 CONTINUED**

On the question,

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

**BILL TABLED**

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

Mr. EVANS. Mr. Speaker, I would like to ask that we temporarily table HB 479.

The SPEAKER pro tempore. The gentleman has moved that HB 479 be tabled.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

**YEAS—181**

Afflerbach	Fargo	Levin	Robbins
Alderette	Fattah	Linton	Rudy
Angstadt	Fee	Lloyd	Ryan
Armstrong	Fischer	Lucyk	Rybak
Baldwin	Flick	McCall	Saloom
Barber	Foster, W. W.	McClatchy	Salvatore
Battisto	Foster, Jr., A.	McHale	Schuler
Belardi	Freeman	McIntyre	Semmel
Belfanti	Freind	McMonagle	Serafini
Beloff	Fryer	Madigan	Seventy
Blaum	Gallagher	Maiale	Showers
Bowser	Gallen	Manderino	Sirianni
Boyes	Gamble	Manmiller	Smith, B.
Brandt	Gannon	Markosek	Smith, L. E.
Broujos	Geist	Merry	Snyder, D. W.
Bunt	George	Michlovic	Snyder, G. M.

Burns	Gladeck	Micozzie	Spitz
Caltagirone	Godshall	Miller	Stairs
Cappabianca	Greenwood	Miscevich	Steighner
Carn	Grieco	Moehlmann	Stevens
Cawley	Gruitza	Morris	Stewart
Cessar	Gruppo	Murphy	Stuban
Cimini	Hagarty	Noye	Sweet
Civera	Harper	O'Brien	Swift
Clymer	Hasay	O'Donnell	Taylor, E. Z.
Cohen	Hayes	Olasz	Taylor, F. E.
Colafiglia	Herman	Oliver	Telek
Cole	Hershey	Perzel	Tigue
Cordisco	Hoeffel	Peterson	Trello
Cornell	Honaman	Petrarca	Truman
Coslett	Hutchinson	Petrone	Van Horne
Coy	Itkin	Phillips	Vroon
DeLuca	Jackson	Piccola	Wachob
DeVerter	Jarolin	Pievsky	Wambach
DeWeese	Johnson	Pistella	Wargo
Daley	Kasunic	Pitts	Wass
Davies	Klingaman	Pott	Weston
Dawida	Kosinski	Pratt	Wiggins
Deal	Kowalyszyn	Preston	Williams
Dietz	Kukovich	Punt	Wilson
Dombrowski	Lashingier	Rappaport	Wogan
Donatucci	Lehr	Reber	Wozniak
Dorr	Lescovitz	Reinard	Wright, D. R.
Duffy	Letterman	Richardson	Wright, J. L.
Durham	Levi	Rieger	Zwinkl
Evans			

NAYS—18

Arty	Haluska	Mackowski	Nahill
Book	Kennedy	Marmion	Saurman
Burd	Laughlin	Mowery	Scheetz
Clark	Livengood	Mrkonic	Spencer
Dininni	McVerry		

NOT VOTING—4

Cowell	Wright, R. C.
Mayernik	
	Irvis,
	Speaker

EXCUSED—0

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

\* \* \*

The House proceeded to third consideration of **HB 330, PN 945**, entitled:

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), converting State heating systems from oil to coal.

On the question,

Will the House agree to the bill on third consideration?

Mr. LEVI offered the following amendments No. A1044:

Amend Title, page 1, line 21, by striking out "from oil to coal." and inserting  
to the use of coal, oil or gas which has been produced in Pennsylvania.

Amend Sec. 1 (Sec.2402.1), page 2, line 8, by inserting after "coal,"  
oil or gas which has been produced in Pennsylvania,

Amend Sec. 1 (Sec. 2402.1), page 2, line 9, by striking out "coal," where it appears the first time and inserting  
such coal, oil or gas

Amend Sec. 1 (Sec. 2402.1), page 2, line 9, by striking out "coal" where it appears the second time

Amend Sec. 1 (Sec. 2402.1), page 2, line 10, by striking out "coal" and inserting

any one of those elements

Amend Sec. 1 (Sec. 2402.1), page 2, line 22, by inserting after "coal"

, oil or gas

Amend Sec. 1 (Sec. 2402.1), page 2, line 23, by striking out "coal" where it appears the first time and inserting

such coal, oil or gas

Amend Sec. 1 (Sec. 2402.1), page 2, line 23, by striking out "coal," where it appears the second time and inserting

any one of those elements,

Amend Sec. 1 (Sec. 2402.1), page 2, line 28, by striking out "coal products" and inserting

coal, oil or gas products produced in Pennsylvania

Amend Sec. 1 (Sec. 2402.1), page 3, line 1, by inserting after "coal,"

oil or gas produced in Pennsylvania,

Amend Sec. 1 (Sec. 2402.1), page 3, line 2, by striking out "coal," where it appears the first time and inserting

such coal, oil or gas

Amend Sec. 1 (Sec. 2402.1), page 3, line 2, by striking out "coal" where it appears the second time

Amend Sec. 1 (Sec. 2402.1), page 3, line 3, by striking out "coal," and inserting

those elements,

Amend Sec. 1 (Sec. 2402.1), page 3, line 14, by inserting a period after "universities"

Amend Sec. 1 (Sec. 2402.1), page 3, lines 14 and 15, by striking out "from oil or natural gas to coal."

On the question,

Will the House agree to the amendments?

REQUEST TO DIVIDE AMENDMENTS

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

Mr. LEVI. Mr. Speaker, can this amendment be divided?

The SPEAKER pro tempore. How does the gentleman propose to divide the amendment?

Mr. LEVI. I would like to take out where it says "Amend Sec. 1 (Sec. 2402.1), page 2, line 22," down to where it says "Amend Sec. 1 (Sec. 2402.1), page 2, line 28." I would like to separate that section.

BILL RECOMMITTED

The SPEAKER pro tempore. For what purpose does the gentleman from Philadelphia, Mr. Rappaport, rise?

Mr. RAPPAPORT. Mr. Speaker, we seem to have had difficulty with these energy bills in the past week. I would therefore move that this bill be recommitted to the Committee on Mines and Energy Management so that the committee can work out these amendments and not have to do this on the floor. I so move, Mr. Speaker.

The SPEAKER pro tempore. The motion has been made by the gentleman from Philadelphia, Mr. Rappaport, to recommit HB 330, PN 945, to the Committee on Mines and Energy. Is that correct, Mr. Rappaport?

Mr. RAPPAPORT. Yes.

On the question,

Will the House agree to the motion?

The SPEAKER pro tempore. The Chair recognizes the gentleman from Somerset, Mr. Lloyd, to speak on the recommitment motion.

Mr. LLOYD. Thank you, Mr. Speaker.

The need to recommit this, I think, is not present, because once the division is made and a portion of the amendment is withdrawn, it will be agreed to. There is one other amendment which I think involves no controversy, and as far as I know, there is no controversy over final passage of the bill. So I see no purpose to be served by recommitting this bill to committee. I urge a "no" vote on the motion.

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

The following roll call was recorded:

YEAS—104

Angstadt	Fattah	Linton	Salvatore
Armstrong	Fee	McClatchy	Scheetz
Arty	Fischer	McMonagle	Schuler
Barber	Flick	McVerry	Semmel
Battisto	Foster, Jr., A.	Mackowski	Smith, B.
Beloff	Freind	Madigan	Smith, L. E.
Boyes	Fryer	Marmion	Snyder, D. W.
Brandt	Gallen	Micozzie	Snyder, G. M.
Burd	Gamble	Miller	Spencer
Burns	Gannon	Moehlmann	Spitz
Carn	George	Mowery	Stairs
Civera	Gladeck	Nahill	Stevens
Clymer	Greenwood	O'Brien	Stuban
Cornell	Gruppo	Oliver	Sweet
Coslett	Hagarty	Perzel	Swift
Coy	Herman	Pitts	Taylor, E. Z.
DeVerter	Hershey	Pott	Telek
Davies	Hutchinson	Punt	Truman
Dawida	Jackson	Rappaport	Wachob
Deal	Kennedy	Reber	Weston
Dietz	Klingaman	Reinard	Wiggins
Dombrowski	Kosinski	Richardson	Williams
Donatucci	Kowalyszyn	Rieger	Wilson
Duffy	Lashinger	Robbins	Wogan
Durham	Lehr	Rybak	Wright, J. L.
Evans	Levin	Saloom	Wright, R. C.

NAYS—96

Afflerbach	Dininni	Levi	Piccola
Alderette	Dorr	Livengood	Pievsky
Baldwin	Fargo	Lloyd	Pistella
Belardi	Foster, W. W.	Lucyk	Pratt
Belfanti	Freeman	McCall	Preston
Blaum	Gallagher	McHale	Rudy
Book	Geist	Maiale	Ryan
Bowser	Godshall	Manderino	Saurman
Broujos	Grieco	Manmiller	Serafini
Bunt	Gruitza	Markosek	Seventy
Caltagirone	Haluska	Mayernik	Showers
Cappabianca	Harper	Merry	Sirianni
Cawley	Hasay	Michlovic	Steighner
Cessar	Hayes	Miscevich	Stewart
Cimini	Hoeffel	Morris	Taylor, F. E.
Clark	Honaman	Mrkonic	Tigue
Cohen	Itkin	Murphy	Trello
Colafella	Jarolin	Noye	Van Horne
Cole	Johnson	O'Donnell	Wambach
Cordisco	Kasunic	Olasz	Wargo
Cowell	Kukovich	Peterson	Wass
Deluca	Laughlin	Petrarca	Wozniak
DeWeese	Lescovitz	Petrone	Wright, D. R.
Daley	Letterman	Phillips	Zwikl

NOT VOTING—3

McIntyre  
Vroon

Irvis,  
Speaker

EXCUSED—0

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

WELCOME

The SPEAKER pro tempore. The Chair is pleased to recognize representatives of Welch Foods from North East, Pennsylvania. They are Robert Fox, Roy Thompson, Doug Moorhead, and Dave Kapple. They are the guests of Representative Bowser of Erie County.

REMARKS ON VOTE

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

Mrs. ARTY. Mr. Speaker, on the motion to table HB 479, I am recorded as being voted in the negative. May the record show that I would have voted in the affirmative.

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

Mrs. ARTY. Thank you.

WELCOME

The SPEAKER pro tempore. The Chair welcomes a group from the Senior Center, Danville, Montour County. They are the guests of Representative Phillips and Representative Belfanti.

The Chair is most pleased to return the gavel to the Speaker.

THE SPEAKER (K. LEROY IRVIS)  
IN THE CHAIR

The SPEAKER. The Chair thanks his very good friend, Mr. Fryer, for taking over temporarily.

REMARKS ON VOTES

The SPEAKER. The Chair wishes to insert for the record that if he had been present for the following votes, he would have voted as follows:

On the Markosek amendment A0663 to HB 479, he would have voted in the negative;

On the motion to table HB 479, he would have voted in the affirmative;

And on the motion to recommit HB 330, he would have voted in the negative.

**BILLS ON THIRD  
CONSIDERATION CONTINUED**

The House proceeded to third consideration of **HB 753, PN 836**, entitled:

A Joint Resolution ratifying the proposed amendment to the Constitution of the United States regarding representation of the District of Columbia in Congress.

On the question,

Will the House agree to the bill on third consideration?

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. **COWELL**. Thank you, Mr. Speaker.

Mr. Speaker, it was just a few weeks ago when there was some discussion on the floor of this House where individuals bemoaned the fact that we frequently send messages to Congress in the form of resolutions to memorialize Congress to do this or to do that, and just as frequently Congress does not heed our resolutions nor even acknowledge that we have sent them a resolution. Today we have an opportunity to send Congress a different message, one that they would not be able to ignore and one which in fact would be noted around this country. We have an opportunity to move Pennsylvania halfway toward the ratification of an amendment to the United States Constitution which would provide representation in the Congress for the residents of the District of Columbia. This is an issue that is not new. It has been around a good while. This ratification process has been thoroughly debated all over this country and certainly here in Pennsylvania and even in the halls of this legislature. I think that today we ought to take action, put this House of Representatives on record as ratifying that constitutional amendment.

There are two major reasons that one might cite why we ought to take this action today. The first might be characterized as a somewhat selfish reason. I think it is in our own best interests to do this.

At a time when voting blocs in the Congress seem to be shifting away from those of us in the North or the Northeastern States and more power seems to be going to those folks who represent Southern States, the Southwest, Southeast, other areas outside of our immediate geographic region, we need all the allies that we can possibly get in the United States Congress. We need individuals in Congress, in the House and in the Senate, who can share some of the concerns that we have, whether it be on the cost of natural gas, be it with respect to the infrastructure of our cities, be it related to issues of education. We could go on and on and cite issues. I believe that it would be in our own best interests, if we want to look at this with a selfish view, to have the residents of Washington, D.C., represented in the House of Representatives and in the United States Congress, because it is very likely that those Representatives will be serving constituents much like our

own, with the same kinds of needs, the same kinds of interests, the same kinds of priorities. I think that we would be better off if we can get more allies in Congress through this means.

But there is a much more important reason for us to ratify this today, Mr. Speaker. That reason is, it is simply the right thing to do. There is a major injustice in this country today, and that is that some three-quarters of a million people who are United States citizens but happen to be residents of the District of Columbia are denied voting representation in the United States Congress. It is a simple injustice.

The folks who happen to live in Washington, D.C., in fact pay more taxes to the Federal Government per capita than those of us in Pennsylvania, than those of us in 49 of the 50 States. The people in Washington, D.C., their families, their young ones, experienced more deaths as a result of the Vietnam War, for instance, than the families in 10 other States among the 50 States. The people in Washington, D.C., collectively pay almost \$1 1/2 billion annually in terms of Federal taxes. But on all of these issues, whether we go to war, how we will spend our tax money, what the rate of taxation will be, they are denied voting representation in the United States Congress.

If we think back 200 years, there were far fewer than three-quarters of a million people who actively participated in the American Revolution, a revolution that was predicated on the argument that taxation without representation is unjust. Yet we, if we fail to ratify this today, would effectively say that under some circumstances, taxation without representation must be all right as it applies to folks in Washington, D.C. It would be wrong for us to say that.

Mr. Speaker, a broad coalition of public officials and community leaders have expressed support for ratification of this amendment. The national platforms of both the Republican Party and the Democratic Party have expressed support for ratification of this amendment.

Within the last several days, Pennsylvania's United States Senator Arlen Specter circulated a letter, dated May 13, and he noted, "It is important to all our citizens that the principle of one man one vote apply to everyone and to no longer deny this most basic right to the residents of the Nation's Capital."

Several years ago Governor Thornburgh, in one of his initial addresses to this legislature, spoke to this issue, and he said, "Whenever citizens anywhere are deprived of the right to vote, the integrity of government overall is compromised." He supports ratification of this amendment.

Senator Heinz, our other United States Senator, voted in favor of ratification of this amendment when this issue was before the United States Senate.

Within the past several days I think all of us have received a letter from some of those coalition leaders in Pennsylvania. Without noting all the signatures, I think it is important to note that this ratification effort has the support of groups like the Pennsylvania Council of Churches, the Pennsylvania League of Women Voters, the National Council of Jewish Women, the Pennsylvania Federation of Teachers, the Pennsylvania State Education Association, Americans for Demo-



cratic Action, the American Civil Liberties Union, B'nai B'rith, Common Cause, the United Steelworkers of America, the United Mine Workers of America, the Pennsylvania AFL-CIO, and a lengthy list of other folks who have lent their support and their active encouragement to our efforts to have this ratification effort succeed today.

Mr. Speaker, we should no longer treat the citizens, the residents, of Washington, D.C., as though they are inhabitants of some far-off Pacific island which has been placed under our trusteeship. Well, we let them live there and we let them enjoy, perhaps, a few benefits, but we do not let them participate in the basic decisionmaking processes of this country where we deny them the fundamental right over which so many of us and our forefathers have fought and died. We ought to pass this because it is the right thing to do; it is the timely thing to do. I would urge your support for ratification of this constitutional amendment today. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

### WELCOMES

The SPEAKER. The Chair is delighted to welcome to the hall of the House, as the guests of the Speaker, Father Joseph Mastrangelo and Father Francis Ginocchi. They are seated to the left.

The Chair is pleased to welcome District Justice Edward Tibbs here. He is here as the guest of Joe Preston from Allegheny County.

### CONSIDERATION OF HB 753 CONTINUED

The SPEAKER. The Chair now recognizes the gentleman from Lehigh, Mr. Zwinkl.

Mr. ZWIKL. Thank you, Mr. Speaker.

I would like to address the question that is always raised regarding the intent of our Founding Fathers with respect to the voting rights for the District of Columbia. Having spent a great deal of time studying our American heritage at both the undergraduate and graduate levels, I speak with a great deal of personal interest in this matter.

Permit me to quote from a special report to the State legislators on the constitutional amendment dealing with its history and intent, and I quote:

It is clear that the founding fathers, who struggled so hard for liberty and equality, never intended to deprive the people living in the District of Columbia of their full rights of citizenship. In the Federalist papers, written in 1787-88 to explain and present the proposed Constitution to the states, James Madison says that the inhabitants of the District would be willing for the area to be ceded because, "...they will have had their voice in the election of the government which is to exercise authority over them;..."

The concept of a federal district separate from any state developed as the response to the "Philadelphia Mutiny" of June 21, 1783 during the Continental Congress being held in Philadelphia. On that occasion, angry Revolutionary Army soldiers demanding back pay marched on Independence Hall where the

Congress was meeting. The Congress requested protection from the Pennsylvania militia, but the request was refused; the Congress was forced to flee the city.

Largely as a result of that incident, in 1787 the framers of the Constitution approved Article I, Section 8, Clause 17 of the Constitution, giving Congress the power to create as the seat of government a federal district totally independent from any state.

Until the official transfer of the federal government to the District of Columbia in 1800, area residents were subject to Maryland and Virginia laws—

Now, this was until 1800. This is important.

and voted in federal elections as residents of their respective states. This practice ended in December of 1800 when Congress took over exclusive jurisdiction of the District without making provisions for voting representation for the residents of the area.

The framers of the Constitution did not need to concern themselves with representation in Congress for residents of the District because at that time the population was simply too small. According to the census of 1800, the population of the entire District of Columbia was 14,000—far fewer than the 50,000 then required of territories which wanted to enter the Union and thus have national representation.

Congress at that time was concerned that the people of the District not receive representation until the District's population warranted it. During the 1801 debates on District suffrage there was much discussion of providing representation for the District when its population reached the appropriate size.

Mr. Speaker, as noted, when the District of Columbia was first laid out, its population was so small that representation in Congress would have indeed given them an unfair advantage, but times have changed, and so has the makeup of the District of Columbia. There are now three-quarters of a million people without representation in our Federal Government, and in the latter half of the 20th century, in the world's greatest democracy, I personally find this intolerable.

During the debate on D.C. suffrage in 1801, as I noted, there was indeed much discussion over providing representation when the District of Columbia's population warranted it, and I think that time has now come.

Our forefathers also recognized that as times change, our government's Constitution may need to change as well, and that is exactly why we can debate this constitutional amendment today and exercise that privilege. This amendment does not give States rights or responsibilities to D.C., although we treat it as a State for the purposes of the draft, taxation, and commerce. The amendment would not violate the intent of Congress when it first laid out the District of Columbia. To the contrary, Congress has been quite willing to treat the District of Columbia as a State when it is convenient for their purposes.

Mr. Speaker, I probably have as much or more respect and reverence for the Constitution as anyone else in this legislature, but I believe that the time has come to change an injustice that has been with us too long, and I would like to urge all of the members of this legislature to follow me and vote in favor of this bill. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, on final passage, the gentleman from Philadelphia, Mr. Linton.

Mr. LINTON. Mr. Speaker, I often wondered as a freshman legislator when I would get an opportunity to speak on the floor to this body. I often thought that on my first opportunity to speak I would be addressing issues that were germane to my district or issues that were germane more to the city of Philadelphia or, in the long run, issues that would be germane to the State of Pennsylvania, but I rise today, Mr. Speaker, in support of voting rights for three-quarters of a million members of our great country. It appears to me, Mr. Speaker, that we, as elected officials, as we sit here today and we attempt to cast our vote by pressing that button, we should be careful to clearly understand that we do not want to disenfranchise three-quarters of a million of our residents of our great country and not entitle them to have full voting rights so that they, too, may be represented in Congress.

I have had the opportunity, Mr. Speaker, to listen to a number of students from Washington, D.C., who received an award for an oratorical address that they made on the rights of voting and the opportunities to vote. Those students talked about the civil rights movement, they talked about the women's suffrage movement, and all the movements throughout our great country that led to the right to vote for many of those who did not have that right. Those students are residents of the District of Columbia, and those students, hopefully, will be entitled to vote for Congressmen and Senators like everybody else in this great country of ours.

I would hope that my colleagues here on the floor of the House, who are elected officials who participate in electoral politics and also have votes cast for them every 2 years, would allow the three-quarters of a million voters or members of the District of Columbia to have the opportunity to cast their vote for Congressmen and for Senators to represent their issues in the House and the Senate in the District of Columbia. So I encourage my colleagues today to vote for and support this bill so that we, too, can go on record in the State of Pennsylvania as supporting the rights of all of those in our great country to have representation in our great bodies and legislative bodies throughout our Nation. I thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On final passage, the Chair recognizes the gentleman from Westmoreland, Mr. Kukovich.

Mr. KUKOVICH. Thank you, Mr. Speaker.

The issue before us today, I think, transcends some of the typically State-oriented issues that we deal with. Thirteen States have now ratified the D.C. voting rights amendment, and this State appears to be one that is being watched by a number of States around the country. We are not only being watched by the citizens of Washington, D.C., but we are being watched by a number of other jurisdictions that are willing to follow our lead, and that is why this vote and this debate has become so important here today.

I would just say that on an issue like this, I do not think we should consider the fact of whether it is left, right, Republican, Democratic. The quotes are replete from different

national politicians of both parties in favor of it. The party platforms of both parties have favored it, and a number of individuals, conservative and liberal, have come down on the argument of the simple, basic justice which the other speakers have touched on so far today.

What I would like to do is talk about a couple of the arguments that I have heard against it during discussion with some of our colleagues. One has to do with the argument that there is another avenue available rather than granting them this right, and that is retrocession, basically into Maryland. We have in our possession a letter from the Speaker of the Maryland House and the President pro tempore of the Maryland Senate on record as saying that because of the cultural and identical barriers between the two areas, there is absolutely no sentiment whatsoever within the Maryland State Government to accept retrocession. There is not one politician in Maryland on record as favoring it.

The argument of statehood is another problem which is simply not available to the District of Columbia. All of the constitutional scholars, from Charles Allen Wright of the University of Texas on down through all the major constitutional scholars of this country, have said that if we want to give the roughly 640,000 people of Washington, D.C., the same rights to voting representation as all the rest of us, then this is the only way to do it, through this amendment.

There have been a number of other arguments, some dealing with taxation. In point of fact, the residents of Washington, D.C., pay more in taxes per capita than any other entity, any other State in this country except for Alaska, something around \$740 above the average per capita in taxes.

They have been talked about as having too many governmental employees. They only have 4 percent of the Federal employees. They have more nongovernmental employees than 14 other States.

There has been an argument that because of the political makeup of that area, they will be of one party. Throughout the history of this country, statehood has been denied and voting representation has been denied for a period of time to certain States because of reasons such as that. Oregon was thought to have been too Democratic. There are now two Republican Senators. Alaska was thought to have been too Democratic. It is now Republican. Hawaii, vice versa; thought to be too Republican, now it is Democratic. Utah and Iowa were denied their rights for years because of prejudice against the Mormon religion. It is basically just a matter of time before all individuals in this country are given the rights that they deserve.

When I mentioned earlier about other eyes watching what was happening in Pennsylvania in this chamber today, I omitted one group, and to a certain extent, without being overly hyperbolic, those are the eyes of the rest of the world. Of 115 nations in this world with Federal general assemblies, Federal legislative bodies, only 2 do not allow their capital city residents to vote. One is the United States and the other is the military dictatorship of Brazil. If we are going to make any statements about human rights in other countries, we have to clear up our own hypocrisy by denying one of the basic

human rights inherent in any democracy, which we are doing to those residents of Washington, D.C.

There are a number of legal cases which I could run through which apply the rights and responsibilities of a State to the District, but I will not run through those. All I will say is that all of us complain from time to time that we are sometimes too parochial, that we are sometimes in a position of voting only on the basis of what is good for us or what is good in a selfish interest for our district. This is one of the few times where the issue is clear cut, where we can rise above political expediency and do the right thing. I think it will make Pennsylvania look good. I think after our ratification the other States that ratify this concept, this amendment, will make the country look good, and it is rare that we have the opportunity to do that.

I would ask you to vote in the affirmative today and increase the stature not only of those people who deserve the right to vote in Washington, D.C., but the stature of our voting assembly here in Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On final passage, the Chair recognizes the gentleman from Northampton, Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of this bill. For too long the residents of the District of Columbia have been disenfranchised. They have been literally shut out of their fair share of representation in the Federal Government. Despite the fact that the people of D.C. pay Federal income taxes and serve in our Armed Forces, they have been denied the most basic right of representation in their Government of the United States. Despite the fact that the Federal Government and its policy decisions have a major impact on the daily lives of these American citizens, they have been denied the right of representation in that policymaking process.

It has been said that the District of Columbia is a city, not a State, and should, therefore, not be entitled to representation in the Federal Senate. However, there is nothing peculiar in granting Senatorial representation to a Federal District. This is done in both the case of the Federal Republic of Mexico and the Federal Commonwealth of Australia.

Furthermore, Washington, D.C., has a most definite identity, a separate identity, as distinct and fixed as any State of this Union. The people of D.C. are Washingtonians. They are not Marylanders; they are not Virginians. Indeed, the existence in history of the District of Columbia is far older than the vast majority of States in the Union today. Its population is even larger than the States of Alaska, Delaware, Vermont, and Wyoming, States that receive full Senatorial and House representation in the Congress.

There is another aspect to this bill, to this amendment to the Constitution, an aspect that has been an underlying theme of American history and the American governmental structure. I speak of the very concept of no taxation without representation. This was one of the key points of contention in our Nation's struggle for independence, yet without this D.C. voting rights amendment to the Constitution, we repudiate

that very concept. We treat the citizens of D.C. in the same unjust fashion as King George III treated our ancestors.

A vote for this bill would be a vote of reaffirmation in the very principles that the Founding Fathers and subsequent generations of Americans have fought so hard to establish and preserve; in essence, the principles of representative government.

If this bill is voted down here today, we publicly deny the very reason for our being here in this chamber today. I therefore urge my colleagues to vote in favor of this bill, to reaffirm their faith and commitment to the concept of representative government. I thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On final passage, the Chair recognizes the gentleman from Montgomery, Mr. Reber.

Mr. REBER. Thank you, Mr. Speaker.

I would only remind the members of this body that every day some of us are present when we pledge allegiance to the flag, and if you recall, the final phrase in that particular dissertation is "liberty and justice for all." It is because of that fundamental principle and the equal-protection-clause principle of our Federal Constitution that I rise in support of this particular piece of legislation.

I think that we have for many, many years, frankly since 1978, been slow in moving in this area. I think we have had an opportunity for consideration and deliberation of this issue, and I think that it is time that we face this particular issue.

Representative Cowell earlier alluded to some comments that were made by Governor Thornburgh when he addressed this body back on October 2, 1979. I would like to quote a little bit longer into that dissertation by the Governor:

Whenever citizens anywhere are deprived of the right to vote, the integrity of government overall is compromised. Because our founding fathers did not anticipate that the small federal enclave carved out of Maryland and Virginia would grow to 700,000 inhabitants, voting representation for the District of Columbia is not now provided for the U.S. Constitution.

I call upon the General Assembly to ratify the amendment to the U.S. Constitution providing full Congressional representation for the District of Columbia.

We have heard a number of our other speakers today allude to other individuals who have also called for this passage of legislation. I think we are hearing a bipartisan request for this, and I think this body should also consider that in their deliberation in voting today.

I would conclude by saying, Mr. Speaker, that all of us have the opportunity, when we vote on every piece of legislation, to push that button and vote. I would only submit that we now give to the people of the District of Columbia the opportunity to push that button also during the elections for their congressional delegation and the President and the Vice President. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Chester, Mr. Flick, on final passage.

Mr. FLICK. Thank you, Mr. Speaker.

Before we take a vote one way or another on HB 753, I would like to take this opportunity to offer a few brief remarks for the benefit of the members and for inclusion in the Journal.

The main thrust of the argument for passage of this bill rests upon the issue of fairness and taxation without representation. In this particular instance, fairness will be defined by the proponents to be taxation with representation. Is it really fair that these people, residents of the District of Columbia, are being taxed by the Federal Government and at the same time being denied representation in the United States House or Senate? There are many here today who will tell you that this is not fair. There are also many of you here today who will cast your vote indicating such agreement.

If you will indulge me a few minutes of your patience, I would like to describe for you a similar situation much closer to home. In 1932 this august body saw fit to grant to the city of Philadelphia the authority to tax suburban commuters. Philadelphia enacted such a tax on December 13, 1939. The General Assembly has thereby condoned the practice of taxation without representation within its own borders for over 43 years now. Despite numerous attempts by suburban Philadelphia Representatives and Senators over the years to reduce the rate of tax on nonresidents, the tax rate remains the same. Much of the blame for inaction can be attributed to the same Democratic leadership which is currently urging passage for HB 753.

Obviously the Democratic leadership in the House recognizes as an inequity this situation, the situation the residents of the District of Columbia find themselves in. They do not think that situation is fair because the residents of the District of Columbia do not have representation in Washington. For the same reason, however, they consider it fair when they continue to permit Philadelphia the power to tax nonresidents while denying them the right to be represented on city council. *It would seem to me that the two situations I have mentioned somewhat parallel each other. There is one major difference, though, and that difference is quite simple - the people in Philadelphia and the people in suburban Philadelphia are our constituents. They are the people who are responsible for putting us here in Harrisburg.*

It is wonderful for the General Assembly to once again send a message to Washington in the form of HB 753. It would be more wonderful, however, if that message were somehow congruent with the philosophy of this General Assembly, in particular the Democratic leadership. We ought first to eliminate the unfair taxation-without-representation problem which exists within our own Commonwealth before we start dictating our Federal Government counterparts to do so.

I would suggest to my colleagues that the proper procedure to avoid any appearance of hypocrisy on our part would be to postpone a vote on HB 753 until such time as we have considered SB 88, which is now in the House Finance Committee. Thank you.

MOTION TO TABLE

Mr. FLICK. I move that HB 753 be placed on the table.

The SPEAKER. The gentleman, Mr. Flick, has moved that HB 753 be placed on the table.

On the question,

Will the House agree to the motion?

The SPEAKER. The motion was to table HB 753. Is the lady from Delaware, Mrs. Durham, asking for recognition on that motion?

Mrs. DURHAM. Yes, I am, Mr. Speaker.

The SPEAKER. The lady is so recognized and may proceed.

Mrs. DURHAM. Mr. Speaker, I rise to support the motion to table—

Mr. COWELL. Mr. Speaker, a point of parliamentary inquiry.

The SPEAKER. Before the gentleman states the point of parliamentary inquiry, the Chair is in error and the Chair apologizes. The motion is not debatable.

Mrs. DURHAM. Thank you, Mr. Speaker.

The SPEAKER. The Chair apologizes to the lady. The Chair slipped up on that one.

The motion to table was made by the gentleman, Mr. Flick, at the end of his dissertation on HB 753. That is the question now before the House. It is not debatable. Those who agree with the gentleman that HB 753 should be tabled will vote "aye"; those who disagree will vote "no."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—97

Angstadt	Foster, W. W.	McClatchy	Salvatore
Armstrong	Foster, Jr., A.	McVerry	Saurman
Arty	Freind	Mackowski	Scheetz
Belardi	Gallen	Madigan	Schuler
Book	Gannon	Manmiller	Semmel
Bowser	Geist	Marmion	Serafini
Boyes	Gladeck	Merry	Sirianni
Brandt	Godshall	Micozzie	Smith, B.
Bunt	Greenwood	Moehlmann	Smith, L. E.
Burd	Grieco	Mowery	Snyder, D. W.
Burns	Gruppo	Nahill	Snyder, G. M.
Cessar	Hagarty	Noye	Spencer
Cimini	Hasay	O'Brien	Spitz
Civera	Hayes	Perzel	Stairs
Clymer	Herman	Peterson	Stevens
Cornell	Hershey	Phillips	Swift
Coslett	Honaman	Piccola	Taylor, E. Z.
DeVerter	Jackson	Pitts	Telek
Davies	Johnson	Pott	Vroon
Dietz	Kennedy	Punt	Wass
Dininni	Klingaman	Reber	Weston
Dorr	Lashingner	Reinard	Wilson
Durham	Lehr	Robbins	Wogan
Fargo	Levi	Ryan	Wright, J. L.
Flick			

NAYS—106

Afflerbach	Duffy	Lloyd	Rieger
Alderette	Evans	Lucyk	Rudy
Baldwin	Fattah	McCall	Rybak
Barber	Fee	McHale	Saloom
Battisto	Fischer	McIntyre	Seventy

Belfanti	Freeman	McMonagle	Showers
Beloff	Fryer	Maiale	Steighner
Blaum	Gallagher	Manderino	Stewart
Broujos	Gamble	Markosek	Stuban
Caltagirone	George	Mayernik	Sweet
Cappabianca	Gruitza	Michlovic	Taylor, F. E.
Carn	Haluska	Miller	Tigue
Cawley	Harper	Miscevich	Trello
Clark	Hoeffel	Morris	Truman
Cohen	Hutchinson	Mrkonic	Van Horne
Colafella	Itkin	Murphy	Wachob
Cole	Jarolin	O'Donnell	Wambach
Cordisco	Kasunic	Olasz	Wargo
Cowell	Kosinski	Oliver	Wiggins
Coy	Kowalshyn	Petrarca	Williams
Deluca	Kukovich	Petrone	Wozniak
DeWeese	Laughlin	Pievsky	Wright, D. R.
Daley	Lescovitz	Pistella	Wright, R. C.
Dawida	Letterman	Pratt	Zwinkl
Deal	Levin	Preston	
Dombrowski	Linton	Rappaport	Irvis,
Donatucci	Livengood	Richardson	Speaker

NOT VOTING—0

EXCUSED—0

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

On the question recurring,  
Shall the bill pass finally?

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Gallen, on final passage of HB 753.

Mr. GALEN. Mr. Speaker, I rise in opposition to HB 753. It is kind of tough to stand here and be against motherhood, especially when you are the father of eight children, but, Mr. Speaker, all we have heard are a great many trite phrases regarding this piece of legislation. What we have not heard is that this is not the proper piece of legislation in order to enfranchise those people of the District of Columbia.

Mr. Speaker, this bill, if you read it, says we would allow the District of Columbia to have two representatives in the United States Senate, as if it were a State. The United States Senate represents States. Each State has two representatives. It is not a one-man-one-vote body. Mr. Speaker, the District of Columbia is a city, and it is not even a very large city. There is no reason at all that we should entertain this motion when right now the people of the District of Columbia have applied for statehood.

Now, we have heard the phrase "taxation without representation." When Patrick Henry said that taxation without representation is tyranny, well, he should have seen it with representation. Not one utterance have I heard by those advocates of the poor, disenfranchised people of the territory of Puerto Rico or of Guam or of other areas.

Mr. Speaker, the population in the District of Columbia is about 1 million less than that of the city of Philadelphia, and there is no reason that we should water down our franchise in the United States Senate by granting to that city two United States Senators.

Now, regarding the franchise of the people, the people who vote, Mr. Speaker, Congress has foisted this particular amendment upon us for ratification when they did not at all entertain the most serious disability encountered by the people

of the District of Columbia, and that is the right to self-government right there. Congress holds a politburo veto-like power over any action taken by the citizens of the District of Columbia in their own city. Congress can veto anything, any action that they take.

We come to many other issues with regard to this. There are five alternatives to this particular issue. Retrocession to Maryland is indeed a valid one.

Mr. Speaker, Mr. Cowell said that we in the Northeast would be benefited in some way as a result of having Representatives in Congress representing the city of Washington, the District of Columbia. I cannot at all fathom how we can be benefited in any way by the most heavily taxed, subsidized area in the entire world being given indeed more representation than they now have.

Mr. Flick did talk about the Sterling Act, but I think someone else referred to the issue of taxation without representation. Well, I submit that Gary Coleman, the child actor, probably pays more taxes than anyone in this body and yet he does not have the franchise. He cannot vote for a United States Senator nor for a Congressman.

I think, Mr. Speaker, that this particular issue was defeated on three separate occasions in one way or another by this legislature, and I feel that there are alternatives and that they should be considered prior to our just willy-nilly passing this proposal which would allow for the District of Columbia to have two United States Senators. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, on final passage, the gentleman from Blair, Mr. Geist.

Mr. GEIST. Thank you, Mr. Speaker.

During the debate establishing our Constitution, the establishment of a national capital was used as one of the tools of political compromise to secure the ratification of this great document. In his writings on these issues, James Madison wrote a series of treatises that have become part of our heritage, the Federalist Papers. In paper No. 43 he discussed the role and the structure of a national capital. I would like at this time to rephrase his arguments, using a more contemporary vocabulary to argue that Washington, D.C., is an extension of the Nation and not a separate political entity as are the States and the localities.

The seat of the national government should be a public subsidiary corporation, wholly owned and operated by all the people of the States and independent of the control of any individual State. Therefore, the Federal Government, through the Congress, shall exercise exclusive authority in all issues over the seat of government. The need for such a policy is self-explanatory.

Our Nation's Capital is a public entity. As the Federal Government exercises authority over territories, military installations built for the defense of our Nation, and other public facilities, Federal control should be maintained over the seat of government. The Capital should not be placed under the province of a single State, because that State could exercise too much influence or even direct governmental control over the Federal Government to the disadvantage of other States.

Similarly, the Capital should not be separately represented in the Congress, because it is an extension of the Nation, not just the citizens within its geographic boundaries.

Certainly the Capital should have legislative powers to act on local issues, as in any city or local governmental unit. However, the public funds expended by the citizens of the United States and the public property and governmental facilities establish the Capital as a national entity, an entity not dependent on any one State but on all the States and the Congress that represents them. All States are responsible for the selection of the site of the Capital and therefore its effective operation. The National Capital is not an independent creature but an extension of the States and the people of this Nation. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On final passage, the Chair recognizes the gentleman from Allegheny, Mr. Preston.

Mr. PRESTON. Thank you, Mr. Speaker.

I, too, am a freshman, and for the last 6 months I have been involved with this great House and I have watched each and every one of us try to put pieces of legislation and pieces of government together. This is the first time that personally I had to rise to speak to the body, because this is a question of principle, Mr. Speaker.

We talk about taxation without representation. We have heard it, yes, but yet in a sense we have the great State of Hawaii not even within the continental United States, over 2,000 miles away from our coastline, and they have been given statehood and representation. We also have the great State of Alaska that also does not touch the continental United States, and we gave them statehood. I have heard an awful lot of philosophy about, well, we spend an awful lot of money within the District of Columbia, not the city, sir, but the District of Columbia, but this is not the question. The question is that we have people living within the guidelines and within the confines of the continental United States who do not have proper representation. That is the question. I find it hard to believe that myself—and that is why I have to support this—that if I could sit down and talk to my daughter when she gets old enough to ask me, why do not the people in Washington, D.C., have representation, I in my correct mind could not say because I voted against it.

These are some of the things that we are going to have to sit down and look at, Mr. Speaker - a question of principle, a question of conscience. The people within the continental United States who have been here for generations upon generations will not have proper representation unless the State of Pennsylvania continues the ball, and we are going to have to carry it. I ask for your support. I ask for your wholehearted support to keep your conscience clean. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

On final passage, the Chair recognizes the gentleman from Lancaster, Mr. Schuler.

Mr. SCHULER. Thank you, Mr. Speaker.

I support voting representation for the District of Columbia in Congress, but I oppose HB 753 because this amendment has so many defects of a constitutional nature that its ratifica-

tion will never occur because of litigation. I doubt very seriously if we will get the necessary three-fourths of the States to ratify this.

More specifically, Mr. Speaker, I have the following constitutional concerns. Article V of the U.S. Constitution refers to equal suffrage to all States. This proposed amendment is giving the District of Columbia added representation. At the present time the District's interests are considered in standing committees of both the House and a subcommittee of the Senate. With the addition of Representatives and two Senators, we are increasing their influence in Congress in direct conflict with the equal suffrage clause. No other city or State has this special privilege.

Number two, Mr. Speaker, if this amendment is approved, the 23d amendment will be repealed. Will this not open the door for citizens of the District of Columbia to vote directly for the President and the Vice President of the United States? No city or State has this special privilege.

Number three, Mr. Speaker, the proposed amendment would allow the District to vote on any proposed amendment. Since the District has no legislative body of its own, will the citizens of the District now vote directly on all proposed amendments? Again, Mr. Speaker, no other State will have this privilege.

I feel there are serious constitutional questions that must be resolved before I can vote in favor of this amendment, and I ask for a negative vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On final passage, the Chair recognizes the gentleman from Philadelphia, Mr. Kosinski.

Mr. KOSINSKI. Thank you, Mr. Speaker.

I rise in support of HB 753. This is my maiden speech on the floor, and I want to address myself to just one of the arguments.

We have heard many eloquent arguments on both sides today, but one which particularly interested me was the one by Representative Flick of taxation without representation. If we look at the District, we see a situation where there is true taxation without representation. Representative Flick alluded to the fact that the suburban people who work in Philadelphia and who pay the Philadelphia wage tax do have taxation without representation. But that is a falsehood, because this body and the Senate passed the Sterling Act capping a 4.3-percent wage tax for non-Philadelphia residents, and the efforts underway right now with the passed Senate bill and in the House to reduce the wage tax certainly show that the non-residents of Philadelphia do have a voice and do have representation.

Again, I rise in support of HB 753 and I ask for an affirmative vote on this bill. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On final passage, the Chair recognizes the gentleman from Montgomery, Mr. Gladeck.

Mr. GLADECK. Mr. Speaker, would Representative Kukovich stand for brief interrogation, since I see he is the only one down there? Maybe he could answer some questions.

The SPEAKER. The gentleman, Mr. Kukovich, indicates he will so stand. The gentleman, Mr. Gladeck, is in order and may proceed.

Mr. GLADECK. Mr. Speaker, could you please tell me what the population is of Washington, D.C., today?

Mr. KUKOVICH. Mr. Speaker, it is approximately 640,000.

Mr. GLADECK. Could you tell me approximately—and this is where I am confused—how many of those 640,000 individuals have reciprocity; in other words, who live in Washington, D.C., but vote in other States?

Mr. KUKOVICH. To the best of our knowledge, those are all residents of the District of Columbia. There are a large number of employees in the District of Columbia who reside in Maryland and Virginia. As a matter of fact, the vast amount of Federal employees actually live in those States and have not been disenfranchised.

Mr. GLADECK. Could you tell me how many of those 640,000 are registered to vote?

Mr. KUKOVICH. I do not have the exact figures, although I have been told recently that it is the same percentage as are registered in other States.

Mr. GLADECK. That would be a wide variance.

Okay. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On final passage, the Chair recognizes the gentleman from Lehigh, Mr. Afflerbach.

Mr. AFFLERBACH. Thank you, Mr. Speaker.

I rise to two points that have been raised with respect to this legislation. The first, I believe, was raised by Mr. Schuler in that he alluded to the fact that if this bill were passed, the District of Columbia would be afforded privileges not guaranteed to other States. I disagree with that interpretation. The bill states very clearly, beginning on page 1, line 17, "For purposes of representation in the Congress, election of the President and Vice President, and article V of this Constitution," which deals with the area with which Mr. Schuler is concerned, "the District constituting the seat of government of the United States shall be treated as though it were a State." There will be no additional privileges given to the District of Columbia. It will be treated in the same manner that every other State is treated.

Secondly, the gentleman, Mr. Gallen, alluded to the fact that we are not considering Guam or Puerto Rico or perhaps any other territory which we should consider for voting rights, and I suggest that if we take a look at all of the troubles in the world, we know that we cannot solve them all at one time. We know that we cannot grant fairness where unfairness exists in its entirety. But we have before us the opportunity to take one small stab at granting fairness where unfairness presently exists. I do not believe that we should retreat from the opportunity to make one correction when we can do it. I urge support of this bill.

The SPEAKER. The Chair thanks the gentleman.

On final passage, does the gentleman from Berks, Mr. Gallen, wish to speak for the second time?

Mr. GALLEN. Yes, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman, Mr. Gallen.

Mr. GALLEN. I would like to know if Mr. Kukovich would stand for interrogation.

The SPEAKER. The gentleman, Mr. Kukovich, indicates he will so stand. The gentleman, Mr. Gallen, is in order and may proceed.

Mr. GALLEN. Mr. Speaker, in the event that this proposal were to be ratified by the sufficient number of States and they did elect two United States Senators and one of those United States Senators were to die or resign, how would he be replaced?

Mr. KUKOVICH. Mr. Speaker, I do not see any difference between whether the replacement would be different from any other State than it would in D.C., because they do have their own local government which could respond in the same way as a State government. The whole issue— See, I think that kind of question clouds the issue, because the issue is actually a very simple one, and that is whether an entity of people that either is a State or, in the unique situation of the District of Columbia, for all other legal purposes is treated as a State, should have their representation. I know of no problem that they would have by the nature of their jurisdiction where they could not replace a dead or retired United States Senator.

Mr. GALLEN. Thank you, Mr. Speaker.

I think the gentleman is entirely incorrect in his response. They are not like any other State and would not be like any other State. In any other State the Governor would appoint the replacement. In the District of Columbia there is no Governor; ergo, there could be no gubernatorial appointment. Now, should the city by some device concoct a way to appoint a replacement, Congress would have veto power, because Congress has veto power over everything that the District of Columbia does.

I think the main issue here is that the District of Columbia is unlike every other State, and Congress does not want to relinquish that veto power.

I have one other question, Mr. Speaker, if Mr. Kukovich would stand for interrogation again.

The SPEAKER. The gentleman, Mr. Kukovich, indicates he will so stand.

Mr. GALLEN. Section 1 of this proposal says, "For purposes of representation in the Congress, election of the President and Vice President, and article V of this Constitution, the District constituting the seat of government of the United States shall be treated as though it were a State."

My question, Mr. Speaker, is, suppose, because of a dioxin outbreak or a threat of war or some other dire thing, that the seat of government were changed to Kansas City. What would happen to the representation of the District of Columbia? And would Kansas City be entitled to two United States Senators?

Mr. KUKOVICH. No, Mr. Speaker. There is absolutely no legal or constitutional basis for that.

Mr. GALLEN. Well, Mr. Speaker, it says "the District." It does not say "the District of Columbia"; it does not say

“Washington”; it says, “the District constituting the seat of government of the United States shall be treated as though it were a State.” That District. Congress is empowered, without any constitutional ramifications— By legislation, Congress can change the seat of government to Harrisburg.

Mr. KUKOVICH. Mr. Speaker, I am not exactly sure what you are referring to, but Article I, section 8, clause 17, of the Constitution is what established that Federal seat of power. Now, I am not sure by reading the opening lines before the body of the resolution what you are driving at, but I really do not see what the problem is or whether it is germane to equal representation.

Mr. GALLEN. My point is that the District constituting the seat of government of the United States could be changed and would no longer be the District of Columbia, would no longer be Washington, D.C. Indeed, it has been changed in prior times in our history. Our Capital has not always been in the District of Columbia.

Mr. KUKOVICH. Again, I am not sure what the point is. But let us assume *arguendo* that that would happen. The point is that no matter what area might be made the seat of Federal power, whether it is Kansas City, Harrisburg, or Washington, D.C., none of those individuals should be denied representation. If the seat of power was shifted, those people would still be represented, so I am not sure what your argument is.

Mr. GALLEN. Then the question is, were it changed, were the seat of government indeed changed to another area, what would happen to the District of Columbia’s representation in the Senate and in Congress?

Mr. KUKOVICH. I would assume, once the Constitution was amended, that they would still have representation as they should have, keeping in mind again that representation, the way it has traditionally been grounded in this country and other democracies, is on the basis of population and the people’s right to elect an individual from their particular area. Whether you use the semantic terminology of “district,” “State,” “enclave,” “city,” that is beside the point and is a spurious and specious argument to this amendment.

Mr. GALLEN. Thank you, Mr. Speaker.

One further point, Mr. Speaker, or maybe it is a reiteration of a point that I had hoped that I could make.

The District of Columbia is a political entity unlike any other. Most of us live in a borough, a town, or a township, some political subdivision which has its own government and which can enact all kinds of legislation within the confines of the State Constitution and our Federal Constitution. But the District of Columbia is unlike that. They cannot enact any legislation without a veto power which is vested in Congress, and Congress, although they want to throw this at us and have us adopt it, does not want to give up that total control of that political entity. Thank you, Mr. Speaker.

**POINT OF ORDER**

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

Mr. PISTELLA. Point of order, Mr. Speaker.

As the minority leader is prone to pointing out to the members, the intention of interrogation is to solicit information. I would like to draw it to the attention of the Speaker that that last exchange that transpired between the two gentlemen did not seem to elicit much information but seemed to be a sharing of ideas which ran contrary to the definition of interrogation. Thank you.

The SPEAKER. The Chair thanks the gentleman, but the Chair was listening and apparently the gentleman, Mr. Gallen, interrupted his interrogation twice and did not indicate that he was through with interrogation when he made his final statement. So the Chair does not find him out of order.

On final passage, the Chair recognizes the gentleman from Lancaster, Mr. Schuler, for the second time.

Mr. SCHULER. Thank you, Mr. Speaker.

I would like to respond to Mr. Afflerbach’s comments. I think he was referring to the repeal of the 23d amendment and not Article V. But since the District of Columbia has no State legislature or no legislative body, how in effect will they elect their electors to the electoral college? There is no other way but through direct elections, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

*On the question recurring,*

Shall the bill pass finally?

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

**YEAS—117**

Afflerbach	Dombrowski	Linton	Reinard
Alderette	Donatucci	Livengood	Richardson
Angstadt	Duffy	Lloyd	Rieger
Arty	Evans	Lucyk	Rudy
Baldwin	Fattah	McCall	Rybak
Barber	Fee	McHale	Saloom
Battisto	Fischer	McIntyre	Seventy
Belfanti	Freeman	McMonagle	Showers
Beloff	Fryer	Maiale	Steighner
Blaum	Gallagher	Manderino	Stewart
Boyes	Gannon	Markosek	Stuban
Broujos	George	Mayernik	Sweet
Burns	Greenwood	Michlovic	Taylor, F. E.
Caltagirone	Gruitza	Micozzie	Tigue
Cappabianca	Haluska	Miller	Trello
Carn	Harper	Miscevich	Truman
Cawley	Herman	Morris	Van Horne
Civera	Hoeffel	Mrkonic	Wachob
Clark	Hutchinson	Murphy	Wambach
Cohen	Itkin	O'Donnell	Wargo
Colafella	Jarolin	Olasz	Wiggins
Cole	Kasunic	Oliver	Williams
Cordisco	Kosinski	Petrarca	Wozniak
Cowell	Kowalshyn	Petrone	Wright, D. R.
Coy	Kukovich	Pievsky	Wright, R. C.
Deluca	Lashinger	Pistella	Zwinkl
DeWeese	Laughlin	Pratt	
Daley	Lescovitz	Preston	Irvis,
Dawida	Letterman	Rappaport	Speaker
Deal	Levin	Reber	

**NAYS—86**

Armstrong	Freind	Madigan	Schuler
Belardi	Gallen	Manmiller	Semmel
Book	Gamble	Marmion	Serafini
Bowser	Geist	Merry	Sirianni
Brandt	Gladeck	Moehlmann	Smith, B.
Bunt	Godshall	Mowery	Smith, L. E.
Burd	Grieco	Nahill	Snyder, D. W.



Cessar	Gruppo	Noye	Snyder, G. M.
Cimini	Hagarty	O'Brien	Spencer
Clymer	Hasay	Perzel	Spitz
Cornell	Hayes	Peterson	Stairs
Coslett	Hershey	Phillips	Stevens
DeVerter	Honaman	Piccola	Swift
Davies	Jackson	Pitts	Taylor, E. Z.
Dietz	Johnson	Pott	Telek
Dininni	Kennedy	Punt	Vroon
Dorr	Klingaman	Robbins	Wass
Durham	Lehr	Ryan	Weston
Fargo	Levi	Salvatore	Wilson
Flick	McClatchy	Saurman	Wogan
Foster, W. W.	McVerry	Scheetz	Wright, J. L.
Foster, Jr., A.	Mackowski		

NOT VOTING—0

EXCUSED—0

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.

**RULES SUSPENDED**

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

Mr. CLARK. Mr. Speaker, I would like to move to suspend the rules so that we may consider a resolution immediately.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—188

Afflerbach	Evans	Livengood	Robbins
Alderette	Fattah	Lloyd	Rudy
Angstadt	Fee	Lucyk	Ryan
Armstrong	Fischer	McCall	Rybak
Arty	Flick	McClatchy	Saloom
Baldwin	Foster, W. W.	McHale	Salvatore
Barber	Foster, Jr., A.	McIntyre	Saurman
Battisto	Freeman	McMonagle	Scheetz
Belardi	Freind	McVerry	Schuler
Belfanti	Fryer	Mackowski	Semmel
Beloff	Gallagher	Madigan	Serafini
Blaum	Gallen	Maiale	Seventy
Book	Gamble	Manderino	Showers
Boyes	Gannon	Manmiller	Sirianni
Brandt	Geist	Markosek	Smith, B.
Broujos	George	Marmion	Snyder, D. W.
Bunt	Godshall	Mayernik	Snyder, G. M.
Burd	Greenwood	Michlovic	Spencer
Burns	Grieco	Micozzie	Stairs
Caltagirone	Gruitza	Miller	Steighner
Cappabianca	Gruppo	Miscevich	Stevens
Carn	Hagarty	Morris	Stewart
Cawley	Haluska	Mowery	Stuban
Cessar	Harper	Mrkonic	Sweet
Cimini	Hasay	Murphy	Swift
Civera	Hayes	Nahill	Taylor, E. Z.
Clark	Herman	O'Brien	Taylor, F. E.
Clymer	Hershey	O'Donnell	Telek
Cohen	Hoeffel	Olasz	Tigue
Colafella	Honaman	Oliver	Trello
Cole	Hutchinson	Perzel	Truman
Cordisco	Itkin	Peterson	Van Horne
Cornell	Jarolin	Petrarca	Wachob
Coslett	Johnson	Petrone	Wambach

Cowell	Kasunic	Phillips	Wass
Coy	Kennedy	Pievsky	Weston
Deluca	Klingaman	Pistella	Wiggins
Daley	Kosinski	Pitts	Williams
Davies	Kowalshyn	Pott	Wilson
Dawida	Kukovich	Pratt	Wogan
Deal	Lashingner	Preston	Wozniak
Dietz	Laughlin	Punt	Wright, D. R.
Dininni	Lehr	Rappaport	Wright, J. L.
Dombrowski	Lescovitz	Reber	Zwikel
Donatucci	Letterman	Reinard	
Dorr	Levi	Richardson	Irvis,
Duffy	Levin	Rieger	Speaker
Durham	Linton		

NAYS—13

Bowser	Gladeck	Moehlmann	Smith, L. E.
DeVerter	Jackson	Noye	Vroon
DeWeese	Merry	Piccola	Wargo
Fargo			

NOT VOTING—2

Spitz	Wright, R. C.
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EXCUSED—0

A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

**RESOLUTION ADOPTED**

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Clark, who offers the following resolution which the clerk will read.

The following resolution was read:

**House Resolution No. 106**

A RESOLUTION

Memorializing the President of the United States to impose quantitative restrictions on the importation of specialty steel.

WHEREAS, The United States specialty steel industry, its products and skilled workers, thousands of whom are now unemployed, are absolutely essential to the national economy. Virtually every segment of our economy is dependent upon specialty steels, including manufacturers of aircraft, automobiles, appliances, communications equipment, electronics products, petroleum and natural gas development equipment and food processing equipment; and

WHEREAS, The United States specialty steel industry is the world's leader in process and product technology and is one of our Nation's most essential, high-technology industries; and

WHEREAS, The United States specialty steel industry is efficient, productive and competitive in domestic and in world markets. This was highlighted in a 1980 report by the Office of Technology Assessment which said of the specialty steel industry: "Technologically (they) are innovative, responsive to the market demands and competitive with any foreign industry"; and

WHEREAS, The United States specialty steel industry has made heavy capital investments to reduce costs, improve efficiency and maintain technological leadership. During 1976-1980 the industry averaged capital expenditures of \$93,000,000 per year and has continued to make major expenditures for research and development; and

WHEREAS, The privately-owned United States specialty steel companies are forced to compete with foreign governments which own, subsidize and direct their less efficient producers to targets for their specialty steels abroad; and

WHEREAS, The devastating increases in imports forced the United States specialty steel industry and the United States Steelworkers of America to file an unfair trade case; and

WHEREAS, After extensive investigation by governmental agencies, it was determined that the allegations of subsidization are well founded and that injury to the United States specialty steel industry is clear. President Reagan concurred and requested the International Trade Commission (ITC) to investigate and provide recommendations under the trade act; and

WHEREAS, The ITC has ruled that the United States specialty steel industry has been seriously injured and has recommended to the President of the United States that quantitative restrictions on the importation of alloy tool steel and stainless sheet and strip, plate, bar and rod be imposed for a period of three years; and

WHEREAS, The President has received the ITC report and has until July 5, 1983, to determine what actions he will initiate to deal with the specialty steel import problem; and

WHEREAS, The United States specialty steel industry has publicly committed to use any additional revenue generated from the import relief measures to make massive capital investment and research and development expenditures, in order to maintain its competitiveness; therefore be it

RESOLVED, That the House of Representatives memorialize the President of the United States to impose quantitative restrictions on the importation of alloy tool steel and stainless sheet and strip, plate, bar and rod at the levels requested by the United States specialty steel industry and the United States Steelworkers of America for a period of five years; and be it further

RESOLVED, That a copy of this resolution be immediately forwarded to the President of the United States.

Brian D. Clark  
Nicholas A. Colafella  
Victor John Lescovitz  
Charles P. Laughlin  
Henry Livengood  
Samuel W. Morris  
William J. Stewart  
Richard D. Olasz  
Joseph A. Petrarca  
Barry L. Alderette  
Leonard Q. Gruppo

On the question,

Will the House adopt the resolution?

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

Mr. CLARK. Mr. Speaker, for the information of the members, Representative Colafella circulated a memo to each of you dealing with this same resolution. He had one dealing with the same issue, and I had intended to offer this today.

It asks the President to impose quotas on the import of specialty steel for a period of 5 years. The International Trade Commission has already found that other nations are dumping specialty steel in this country and subsidizing them to sell it in this country, and he has until July 7 to make a decision on whether to impose quotas. We just want to encourage him to impose quotas and do it for a period of 5 years.

It has been recommended by the specialty steel industry as well as the Steelworkers Union. Thank you, Mr. Speaker.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

## YEAS—200

Afflerbach	Fattah	McCall	Ryan
Alderette	Fee	McClatchy	Rybak
Angstadt	Fischer	McHale	Saloom
Arty	Flick	McIntyre	Salvatore
Baldwin	Foster, W. W.	McMonagle	Saurman
Barber	Foster, Jr., A.	McVerry	Scheetz
Battisto	Freeman	Mackowski	Schuler
Belardi	Freind	Madigan	Semmel
Belfanti	Fryer	Maiale	Serafini
Beloff	Gallagher	Manderino	Seventy
Blaum	Gallen	Manmiller	Showers
Book	Gamble	Markosek	Sirianni
Bowser	Gannon	Marmion	Smith, B.
Boyes	Geist	Mayernik	Smith, L. E.
Brandt	George	Merry	Snyder, D. W.
Broujos	Gladeck	Michlovic	Snyder, G. M.
Bunt	Godshall	Micozzie	Spencer
Burd	Greenwood	Miller	Spitz
Burns	Grieco	Miscevich	Stairs
Caltagirone	Gruitza	Moehlmann	Steighner
Cappabianca	Gruppo	Morris	Stevens
Carn	Hagarty	Mowery	Stewart
Cawley	Haluska	Mrkonic	Stuban
Cessar	Harper	Murphy	Sweet
Cimini	Hasay	Nahill	Swift
Civera	Hayes	Noye	Taylor, E. Z.
Clark	Herman	O'Brien	Taylor, F. E.
Clymer	Hershey	O'Donnell	Telek
Cohen	Hoeffel	Olasz	Tigue
Colafella	Honaman	Oliver	Trello
Cole	Hutchinson	Perzel	Truman
Cordisco	Itkin	Peterson	Van Horne
Cornell	Jackson	Petrarca	Vroon
Coslett	Jarolin	Petrone	Wachob
Cowell	Johnson	Phillips	Wambach
Coy	Kasunic	Piccola	Wargo
Deluca	Kennedy	Pievsky	Wass
DeVerter	Klingaman	Pistella	Weston
DeWeese	Kosinski	Pitts	Wiggins
Daley	Kowalshyn	Pott	Williams
Davies	Kukovich	Pratt	Wilson
Dawida	Lashinger	Preston	Wogan
Deal	Laughlin	Punt	Wozniak
Dietz	Lehr	Rappaport	Wright, D. R.
Dininni	Lescovitz	Reber	Wright, J. L.
Dombrowski	Letterman	Reinard	Wright, R. C.
Donatucci	Levi	Richardson	Zwinkl
Duffy	Levin	Rieger	
Durham	Linton	Robbins	Irvis,
Evans	Livengood	Rudy	Speaker
Fargo	Lloyd		

## NAYS—0

## NOT VOTING—3

Armstrong      Dorr      Lucyk

## EXCUSED—0

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

## STATEMENT BY MR. RICHARDSON

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

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

The SPEAKER. Without objection, the gentleman has unanimous consent. The Chair hears no objection.

Mr. RICHARDSON. Mr. Speaker, yesterday we had introduced a resolution, HR 100, to be brought forth to this House of Representatives today, and it was voted out of the Rules Committee. However, I would like at this time to report to the members of this House that the district court today ruled that in fact the Secretary of Welfare had to issue those checks to those 68,000 people starting today. That has begun to take place, and we have just talked to the citizens in Chester, the welfare recipients there, and they have indicated that they have started to process the checks. We wanted to indicate that because of the wisdom of the court, because we were unable to move our resolution yesterday posthaste, we can report that we do not see a need to bring up HR 100 and that those persons who are in fact without money will be receiving their money at least beginning today. We hope that the process by which they are affording all of those persons the opportunity to receive their checks will in fact receive them all by next week.

So at this time, Mr. Speaker, I would like to say that we will not be asking to call up HR 100. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

### WELCOMES

The SPEAKER. The Chair is pleased to welcome to the hall of the House two legislative aides from Allegheny County, Miss Marge Lubawy, who is a legislative aide to Steve Seventy, and Miss Vi Nolla, who is a legislative aide to Representative Dawida.

Also, we have Connie Falvo, who is the home office secretary and here as the guest of Representative Joe Markosek, and with her, Mary Lynne Mastrine, who is the home office legislative aide and the guest of Representative Tom Michlovic.

### ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair would like to announce that those members who have decided they will give blood will have until 4 o'clock today to report to B Complex in the basement. If they do not choose to do so today, tomorrow B Complex will be available from 9 o'clock until 2.

### STATEMENT BY MINORITY LEADER

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I had tried to get the Chair's attention. I had some remarks I probably should have made yesterday in connection with the suspension of the rules and the adoption of a resolution that Mr. Richardson had offered, and inasmuch as I have just heard Mr. Richardson's report that some of these checks are being issued, I suppose my remarks are not necessarily pertinent, but I am going to make some of them anyway.

I thought it was interesting to see a number of our members urging the Governor to overturn the wish of the legislature because the Federal district court had once again made an utterance that was a complete 180 degrees away from what the

majority of the members of this House and the Senate feel the law should be in Pennsylvania.

Over the past year we have heard many of the members, particularly those from the Allegheny County area, the western part of the State, complain about Judge Bechtle and the Eastern District Court, when he superimposed upon the citizens of Pennsylvania his ideas as to how emissions control should be. I heard over many months, years in fact, complaints about Judge Broderick in the Federal district court, who told us through a legislative enactment called a court order what we should or should not do in connection with the Pennhurst case. And now once again the Federal district court, sitting as a superlegislature, sitting as a Governor, has indicated to us as legislators, a majority of whom had voted for a particular bill which became law, that what we did was wrong.

Forgetting the subject for a moment, I think each and every one of us has over a period of years been somewhat offended by the actions of these courts, who have turned themselves into superlegislative bodies sitting by themselves, and I wonder whether or not the far-reaching, perhaps, repercussions of this particular order have come to the minds, been brought to the attention of some of the people who prompted this order. I believe that Judge Weiner was wrong, and if he was right, and if he was right, the effect of his actions may be to do away completely with general assistance, because that is what we had provided in the bill.

The other thing—and I think this is a more far-reaching problem that we had better look at—is, if Judge Weiner is right, and if we are not able to categorize people by age, such as we did in the workfare bill when we said 18 to 45, I wonder if the senior citizens of this great Commonwealth are aware that they, too, are receiving benefits because they are age 65 and older. The legislation that we have passed over the years here in Harrisburg describes and categorizes our senior citizens in much the same way we describe the people who are the subject of this bill, and that is by age and by age alone, not whether a senior citizen needs help but rather in many cases simply because he is indeed a senior citizen.

I suspect that sometime in the future this will come back to haunt us, as most of these Federal orders have done in the past. I wonder if the judge took into consideration and if we are so quick to agree with his order when we consider that the 5-percent increase that we have given to other members of the welfare community perhaps will lose it.

We in Pennsylvania are one of seven States that provide general assistance to the able-bodied, and I have a great deal of difficulty accepting the judge's order. That bill came into being, that bill became law, after a long, hard legislative session. I personally am offended that a judge sitting in the Federal district court can upset the work of this legislative body and the Senate with a short, one- or two-page order, which, in my judgment, was not well reasoned as one looks at the entire history of this, and I wonder if the judge did take into consideration these other factors that were mentioned.

This is not over. I understand that there is presently pending before the circuit court a request for a stay. I would

hope that if that is denied—and the circuit court seems to go along in that direction most of the time—it will be taken to the Supreme Court, not so much for this issue alone but rather to tell all of us in State legislative halls whether we are permitted to categorize by age, as we have done in most every senior citizen category of help. It will be interesting to watch. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair wishes to apologize. The Chair did not deliberately overlook the distinguished former Speaker. The Chair simply did not see he was trying to get the attention of the Chair.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, very briefly on the subject matter addressed by the minority leader. There were many in the Assembly and many in the hall of the House at the time Thornfare passed who indicated that Thornfare was simply a way to balance this State's budget on the backs of the poor. Thornfare at that time was touted by this administration as a manner in which those deserving persons on welfare could get their just due and increases that they needed by taking the undeserving from the rolls. Is it not curious that when the Federal judge says that these people whom you have categorized as "undeserving" and the ones who should be removed from the welfare rolls can no longer be on the welfare rolls under the law, and we think that that is against the Constitution, that all of a sudden the ability to provide for those still on the rolls is going to disappear and the proposal is to take more off the rolls? To me, nothing could point more vividly to the fact that it was a budget-balancing gimmick in the first place; otherwise, we would find those funds necessary to provide in proper manner for those who have survived the undeserving test of Thornfare.

There is a difference between what Judge Bechtel did in interpreting whether or not the legislature of Pennsylvania should have been a participant in the process which spends moneys that are raised from the people of Pennsylvania and what was done in this case by the Federal judge who has made a decision on constitutionality, which is certainly the prerogative of that Federal court. Whether that decision survives or not—and I do not know whether it will survive—it certainly was in the realm of what we ordinarily take to the courts as part of their jurisdiction. We certainly should not deny that whether or not the matter of Thornfare was constitutional is within the realm of that judge to decide.

The Thornfare saga, I am sure, has not played its full course, and my guess is that the budget-balancing gimmick that was used in the election year has already come back to haunt us in this nonelection year. There will be, I am sure, proposals by this administration to replace the money it saved last year.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Just quickly. It was pointed out to me that this General Assembly in one way or another over a period of 10 years attempted to enact legislation not unlike the legislation that was enacted this past session—not the one we are in, but the prior one—which is now the subject of the suit in the Federal district court.

I think another thing that should be mentioned, and I had intended to mention it yesterday, the people who were most vocal in connection with the resolution—and I except from that Dave Richardson, incidentally—but some of the others who were most vocal, I had occasion to have the history searched, and if there was that interest in doing away with the workfare legislation, there was not one bill introduced in this House this year to repeal it. I thought that was interesting. Instead we rely on a Federal district judge to enact legislation for us. Each and every one of us has the ability to introduce legislation. We do not each, of course, have the opportunity always to have our legislation brought to the floor, but I think it is interesting, as far as our people could find, there was not one bill introduced to repeal it. Instead Judge Weiner repealed it, and I think if you look at that legislation that we did pass by a substantial majority, 120 or 130, as I recall, maybe more, 120 or 130 of us in this House passed that legislation, many of whom were Democrats, Mr. Manderino, who then helped us balance the budget, if indeed that was the intention of it, and I think that should not go without being noted.

My objection has been, will be, that the Federal court should stay out of our legislative chambers. If Judge Weiner wants to enact legislation, let him run for office.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. RICHARDSON. Mr. Speaker, I want to just very briefly follow up two things that should be discussed. One is that I do not feel that there has been an honest answering of part of the things that were in fact said by the minority leader, Mr. Ryan, particularly when you look at the whole quest of stating that many of us indicated that those persons who do in fact fall in the category of general assistance should in fact have a program that would say that you should offer a person a job in this Commonwealth and then at such point that they do not take that job, then you should take that person off welfare. That never came to fruition. Plus the fact that now we have witnessed that senior citizens, although they were discussed, were brought up as a part of being—

## PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman from Berks, Mr. Davies, rise?

Mr. DAVIES. A point of parliamentary inquiry, Mr. Speaker. What is before the body or by—

The SPEAKER. Unanimous consent.

Mr. DAVIES. Unanimous consent? Thank you, Mr. Speaker.

The SPEAKER. Not for the minority leader or the majority leader. They have the privilege of the floor at any time. Mr. Richardson asked for unanimous consent and it was given. It may not be withdrawn once given. Therefore, the Chair allowed him to speak.

Mr. DAVIES. Thank you, Mr. Speaker.

The SPEAKER. Mr. Richardson may continue.

Mr. RICHARDSON. Thank you, Mr. Speaker.

It seems to me that when we talk about senior citizens, we cannot put them in the same category along with those who fall in the age category, particularly when we talk about age 65. The Lord giveth and the Lord taketh away. On one hand we say that we are taking something away from those welfare recipients who in fact were receiving some subsistence in which they could survive, and where, in fact, we had given something to senior citizens, we had no intentions of taking that away at all. I think it is another way of pitting poor people against poor people in categories versus different categories.

I think it is quite obvious that there were bills that were introduced this year that did speak to the repeal question. It may not have come in the form of repeal, but it certainly came in the form of entry-level jobs bills that were introduced specifically for welfare recipients. It also came in the form of trying to find other relief for welfare recipients who in fact had their moneys taken away, and the fact that we had tried very hard to introduce jobs bills that would in fact do something positive for those individuals in this Commonwealth who fell in this category who we believe were in fact disenfranchised, which is why we agree with the judge's order to tell us that between the ages of 18 and 45, particularly in the area that we had cited as being transitionally needy, that when you begin to look at that category you have to also recognize that a number of persons who in fact could have been working today cannot because of the fact that the unemployment rate is the highest it has been in this country, even in our State.

So I think that all of those points need to be expressed when we talk about this in a very open and honest manner and say that relief for poor people and the struggle we have against poor people that there has got to be some advocates for those poor people - black, white, or Hispanic - or anyone else in this Nation, so that no one will fall in the category of feeling that there are no advocates who are willing to stand up and fight for them and fend for themselves.

I think that we know that this is not over and we are prepared and ready to struggle and fight continuously to make sure that we find the best welfare reform necessary to in fact deal with our particular problem. To slash out and say now we are going to cut across the board, there are two other points that need to be pointed out. One is the fact that the 5 percent that was supposed to go to those welfare recipients under AFDC (aid to families with dependent children) never received it. That is the truth. Those families who have three children and two children in them never got their extra percentage of money that they were supposed to get. So to now threaten those persons and say we are going to cut across the board altogether is another strong indication that there was not a concern in the first place to take care of those who are in fact poor who should have been entitled to it.

We use the words "truly needy," and I think that is another point that needs to be expressed. The words "truly needy" sound very good, but in fact we did not take care of those who are in fact truly needy. When your unemployment runs out and you have no more unemployment compensation, you

then have to apply for welfare. Many citizens in this Commonwealth—and as chairman of the Urban Affairs Committee, we have been all across this Commonwealth to places like Meadville, Carbondale, places like Reading, Allentown, Arnold, and other places in this Commonwealth where persons testified before our committee that in fact their welfare recipients have had to set up food lines and other lines of food and clothing to be able to take care of those needy persons within them, and this happens all across this Commonwealth and cannot be just directed at Philadelphia or Pittsburgh. I think that when we begin to look at the record and examine it, you will find that there are more people who are suffering in this Commonwealth than who are actually making it, and perhaps maybe our ear should be lent to our trying to find out some real problemsolving that is going to eliminate those particular problems as opposed to creating more of a monster than we have already created. Thank you.

### REMARKS ON VOTE

The SPEAKER. Does the gentleman from York, Mr. Dorr, seek recognition under unanimous consent?

Mr. DORR. Mr. Speaker, a point of personal privilege. My affirmative vote failed to register on the Colafella-Clark resolution, HR 106, and I would like the record to reflect that I voted in the affirmative.

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

### 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 6, 1983

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, June 13, 1983 unless sooner recalled by the President Pro Tempore, and when the House of Representatives adjourns this week it reconvene on Monday, June 13, 1983 unless sooner recalled by the Speaker.

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. The Chair announces that tomorrow will be a nonvoting session.

**HOUSE BILLS  
INTRODUCED AND REFERRED**

- No. 1150** By Representatives McMONAGLE, PISTELLA, ZWIKL, LINTON, AFFLERBACH, E. Z. TAYLOR, DEAL, COLAFELLA, BELOFF and DONATUCCI

An Act relating to the licensing and regulating of the practice of counseling; providing for licensure of counselors and therapists for private practice; creating a Board of Counseling Practitioners and prescribing its membership, powers and duties; providing for issuance and revocation of licenses; fixing penalties for violations; and making an appropriation.

Referred to Committee on PROFESSIONAL LICENSURE, June 7, 1983.

- No. 1151** By Representatives ZWIKL, WILSON, OLIVER, NAHILL, TELEK, ANGSTADT, HASAY, BURNS, J. L. WRIGHT, MRKONIC, GRUPPO, FISCHER, DININNI, DIETZ, ARTY, COSLETT, DEAL, HARPER, BOOK, FARGO, MICOZZIE, NOYE, RYBAK, REINARD, MERRY, D. W. SNYDER, WAMBACH, TRUMAN, DONATUCCI, GREENWOOD, COHEN, EVANS, GAMBLE, DeWEESE, PETRARCA, BURD, MARMION, KENNEDY, FATTAH, PRESTON, BELFANTI, FLICK, PISTELLA, POTT, STAIRS, LINTON, GRUITZA, KOSINSKI, DUFFY, MOWERY, O'BRIEN and BUNT

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, changing the terms of members of the General Assembly.

Referred to Committee on STATE GOVERNMENT, June 7, 1983.

- No. 1152** By Representatives MISCEVICH, OLASZ, SEVENTY, VAN HORNE, MICHLOVIC, DUFFY, GAMBLE, DeLUCA, COWELL, PETRARCA, BELFANTI, HOFFEL, DALEY, KASUNIC, MARMION, LESCOVITZ, BOOK, FISCHER, STAIRS, NAHILL, WASS, SWEET, DeWEESE, TIGUE and CAWLEY

A Supplement to the act of June 2, 1915 (P. L. 736, No. 338), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," further providing for coverage.

Referred to Committee on LABOR RELATIONS, June 7, 1983.

- No. 1153** By Representatives GREENWOOD, HALUSKA, TRELLO, HERSHEY, MERRY, BUNT, JOHNSON, FATTAH, FLICK, CARN and CIVERA

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), further providing for the establishing and maintenance of industries in the State penal and correctional institutions.

Referred to Committee on JUDICIARY, June 7, 1983.

- No. 1154** By Representatives McMONAGLE, DORR, CALTAGIRONE, CAWLEY, MURPHY, TRUMAN, LINTON, BLAUM, MRKONIC, DONATUCCI, RIEGER, SEVENTY, GANNON, BOYES, O'BRIEN, SERAFINI, HERMAN, SWIFT and GRUPPO

An Act amending "The Dental Law," approved May 1, 1933 (P. L. 216, No. 76), further defining the practice of dentistry.

Referred to Committee on PROFESSIONAL LICENSURE, June 7, 1983.

- No. 1155** By Representatives BOOK, HUTCHINSON, E. Z. TAYLOR, FLICK, POTT, TRELLO, TIGUE, VROON, PISTELLA, FARGO, HERSHEY, DeWEESE, B. SMITH, MICHLOVIC, ITKIN, CAWLEY, MAIALE, HERMAN, NOYE, COLAFELLA, PETERSON, CIVERA, JOHNSON, DAVIES, ROBBINS, GANNON and CESSAR

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for issuance of detachable anatomical donor symbols on drivers' licenses.

Referred to Committee on TRANSPORTATION, June 7, 1983.

- No. 1156** By Representatives ITKIN, CESSAR, POTT, TRELLO, SEVENTY, MICHLOVIC, VAN HORNE, DeLUCA, PISTELLA and PRESTON

An Act amending the act of June 21, 1939 (P. L. 626, No. 294), referred to as the "Second Class County Assessment Law," providing for the right to appeal before the board for persons suffering catastrophic loss to their property.

Referred to Committee on LOCAL GOVERNMENT, June 7, 1983.

- No. 1157** By Representatives PITTS, ZWIKL, WAMBACH and J. L. WRIGHT

An Act amending the "State Capitol Preservation Act," approved December 20, 1982 (P. L. 1442, No. 327), providing for State appropriations and the status of the committee as an independent agency.

Referred to Committee on STATE GOVERNMENT, June 7, 1983.

- No. 1158** By Representative PITTS

An Act amending the act of June 17, 1913 (P. L. 507, No. 335), referred to as the "Intangible Personal Property Tax Law," deleting a certain reference to a judgment.

Referred to Committee on LOCAL GOVERNMENT, June 7, 1983.

**No. 1160** By Representatives CIVERA, MICOZZIE,  
R. C. WRIGHT and SPITZ

An Act amending "The Support Law," approved June 24, 1937 (P. L. 2045, No. 397), abolishing public assistance liens.

Referred to Committee on HEALTH AND WELFARE,  
June 7, 1983.

**No. 1161** By Representatives MICOZZIE and  
CIVERA

An Act amending the "Senior Citizens Rebate and Assistance Act," approved March 11, 1971 (P. L. 104, No. 3), further providing for the allowable percentage of real property tax rebate or rent rebate.

Referred to Committee on FINANCE, June 7, 1983.

**No. 1181** By Representatives GALLAGHER,  
FREIND, HARPER, COWELL, BURNS,  
E. Z. TAYLOR, LIVENGOOD, EVANS,  
MILLER, FISCHER, COLAFELLA,  
DAVIES, LESCOVITZ, STAIRS,  
WIGGINS, BATTISTO, WASS,  
HAGARTY, KOSINSKI, TIGUE, DALEY,  
FATTAH, WAMBACH, COY and  
HERMAN

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for mandatory programs; providing for education assessment testing as a prerequisite for receipt of diploma; and making editorial changes.

Referred to Committee on EDUCATION, June 7, 1983.

### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**No. 99** By Representative REBER

Memorializing the Congress of the United States to approve issuing of the Night-Fighters' Stamp.

Referred to Committee on FEDERAL-STATE RELATIONS, June 7, 1983.

**No. 101**

(Concurrent) By Representatives KASUNIC, DALEY,  
F. E. TAYLOR, DeLUCA, MANDERINO,  
RUDY, COY, KUKOVICH,  
J. L. WRIGHT, BELFANTI, CIMINI,  
TRELLO, KOSINSKI, TIGUE, PETRONE,  
POTT, DeWEESE, JOHNSON, WARGO,  
HALUSKA, COHEN, FEE,  
AFFLERBACH, LETTERMAN,  
LASHINGER, DAWIDA, MRKONIC,  
SERAFINI, BELARDI, BROUJOS,  
LESCOVITZ, LUCYK, FISCHER, ZWIKL,  
HERSHEY, MORRIS, GEORGE, WASS,  
MARKOSEK, CLARK, CARN, TRUMAN,  
LINTON, LEVIN, BELOFF, BARBER,  
WIGGINS, FATTAH, McMONAGLE,  
OLIVER, McINTYRE, STEIGHNER,  
PRESTON, FRYER, SWEET, IRVIS,

O'DONNELL, PIEVSKY, MAYERNIK,  
BOWSER, BURD, MICHLOVIC,  
SIRIANNI, BUNT, HERMAN, GRUPPO,  
BLAUM, JAROLIN, CAPPABIANCA,  
McCALL, COLAFELLA, ITKIN,  
ALDERETTE, MISCEVICH, SALOOM,  
MURPHY, BALDWIN, STUBAN, OLASZ,  
STAIRS, SEVENTY and McHALE

The General Assembly urges the Governor to proclaim the month of July as "Buy American Month."

Referred to Committee on RULES, June 7, 1983.

**No. 102**

(Concurrent) By Representatives KASUNIC, DALEY,  
F. E. TAYLOR, DeLUCA, MANDERINO,  
RUDY, COY, KUKOVICH,  
J. L. WRIGHT, BELFANTI, CIMINI,  
TRELLO, KOSINSKI, TIGUE, PETRONE,  
POTT, DeWEESE, JOHNSON, WARGO,  
HALUSKA, COHEN, FEE,  
AFFLERBACH, LETTERMAN,  
LASHINGER, DAWIDA, MRKONIC,  
SERAFINI, BELARDI, BROUJOS,  
LESCOVITZ, LUCYK, FISCHER, ZWIKL,  
HERSHEY, MORRIS, GEORGE, WASS,  
MARKOSEK, CARN, TRUMAN,  
LINTON, LEVIN, BELOFF, BARBER,  
WIGGINS, FATTAH, McMONAGLE,  
OLIVER, McINTYRE, STEIGHNER,  
PRESTON, FRYER, SWEET, IRVIS,  
O'DONNELL, PIEVSKY, MAYERNIK,  
BOWSER, BURD, MICHLOVIC,  
SIRIANNI, BUNT, HERMAN, GRUPPO,  
BLAUM, JAROLIN, CAPPABIANCA,  
McCALL, COLAFELLA, ITKIN,  
ALDERETTE, MISCEVICH, SALOOM,  
MURPHY, BALDWIN, STUBAN, OLASZ,  
STAIRS, SEVENTY and McHALE

Designating the month of July as "Buy American Month."

Referred to Committee on RULES, June 7, 1983.

### SENATE BILL FOR CONCURRENCE

The clerk of the Senate, being introduced, presented the following bill for concurrence:

**SB 471, PN 518**

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, June 7, 1983.

### BILLS AND RESOLUTION PASSED OVER

The SPEAKER. Without objection, all remaining bills and the resolution on today's calendar will be passed over. The Chair hears none.

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**ADJOURNMENT**

The **SPEAKER**. The Chair recognizes the gentleman from Montgomery, Mr. Bunt.

Mr. **BUNT**. Mr. Speaker, I move that this House do now adjourn until Wednesday, June 8, 1983, at 11 a.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 3:51 p.m., e.d.t., the House adjourned.