

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

THURSDAY, JULY 14, 1983

SESSION OF 1983

167TH OF THE GENERAL ASSEMBLY

No. 66

HOUSE OF REPRESENTATIVES

The House convened at 10 a.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:

Most gracious God and Father of all mankind, with heartfelt thanks, grateful praise, and everlasting love we come before Thee. We thank Thee for Thy guiding hand in our lives throughout the past night and all of life. We praise Thee that we are Thine and that Thou hast bought us with the price of Thine own self, and we beseech Thee to extend Thy love through us toward all mankind.

Heavenly Father, may we never forget that we are Thine. May we always remember that Thou dost work in and through us to the honor and glory of Thy great truth, and may we constantly bring forth deeds which will redound to the majesty of Thy great name. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVED

The SPEAKER. The Journal of Tuesday, June 21, 1983, is in print. Unless the Chair hears objection, the Journal will be approved. The Chair hears no objection.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Wednesday, July 13, 1983, will be postponed until the Journal is in print. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1342 By Representatives FRYER, IRVIS, A. C. FOSTER, JR., GAMBLE, DUFFY, LEVI, RUDY, MARMION, BROUJOS, GALLEN, FEE, MOWERY and JAROLIN

An Act amending the "County Pension Law," approved August 31, 1971 (P. L. 398, No. 96), providing that counties may make pickup contributions to the county employees' retirement system on behalf of county employees.

Referred to Committee on LOCAL GOVERNMENT, July 14, 1983.

No. 1343 By Representatives BARBER, WIGGINS, TRUMAN, LAUGHLIN and DOMBROWSKI

An Act amending the act of June 19, 1913 (P. L. 528, No. 338), entitled "An act fixing the penalty for murder of the first degree; regulating the procedure incident to the infliction thereof; prescribing and providing for a place and manner of inflicting said penalty on the grounds of the new Western Penitentiary of this Commonwealth, in Centre County; making an appropriation therefor; repealing inconsistent legislation; and providing that neither this act nor said repeal shall apply to any case in which it shall appear that said crime was committed prior to the date of the approval of this act," further providing for the manner of carrying out a sentence of death.

Referred to Committee on JUDICIARY, July 14, 1983.

No. 1344 By Representatives MOEHLMANN, O'DONNELL, AFFLERBACH, BRANDT, BOWSER, DeWEESE, A. C. FOSTER, JR., GODSHALL, GRUPPO, HASAY, HERMAN, JACKSON, KUKOVICH, MORRIS, MURPHY, NOYE, PERZEL, PISTELLA, SEMMEL, D. W. SNYDER, TRELLO and VROON

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, adding provisions relating to motorcycle safety.

Referred to Committee on TRANSPORTATION, July 14, 1983.

SENATE BILLS FOR CONCURRENCE

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

SB 199, PN 1123

Referred to Committee on STATE GOVERNMENT, July 14, 1983.

SB 200, PN 1017

Referred to Committee on CONSERVATION, July 14, 1983.

PROFESSIONAL LICENSURE.

**BILL REPORTED AND REREFERRED
TO COMMITTEE ON CONSERVATION**

HB 1317, PN 1569 By Rep. McMONAGLE

An Act providing for the certification of professional geologists.

PROFESSIONAL LICENSURE.

MEMBER'S PRESENCE RECORDED

The SPEAKER. The gentleman from Lehigh, Mr. Zwinkl's name will be added to the master roll.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 666, PN 748**, entitled:

An Act providing for the adoption of capital projects to be financed from current revenues of the Game Fund; itemizing transportation assistance projects to be acquired or constructed by the Department of Transportation together with its estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects; stating the estimated useful life of the project; and making an appropriation.

On the question recurring,

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

Mr. LAUGHLIN offered the following amendments No. A2149:

Amend Title, page 1, line 2, by inserting after "Fund" ; itemizing transportation assistance projects to be acquired or constructed by the Department of Transportation together with its estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the project; stating the estimated useful life of the project; and making an appropriation

Amend Bill, page 1, by inserting between lines 4 and 5

**CHAPTER I
GAME FUND PROJECTS**

Amend Sec. 1, page 1, line 5, by striking out "1" and inserting

101

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

chapter

Amend Sec. 2, page 1, line 8, by striking out "2" and inserting

102

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

103

Amend Sec. 3, page 2, line 5, by striking out "3" and inserting

103

Amend Bill, page 3, by inserting between lines 19 and 20

**CHAPTER II
TRANSPORTATION PROJECTS**

Section 201. Short title.

This chapter shall be known and may be cited as the Transportation Assistance Supplement to the Capital Budget Act of the 1983-1984 Fiscal Year.

Section 202. Total authorization.

The total authorization for the additional capital projects in the category of transportation assistance projects itemized in section 203 and with respect to which an interest is to be modernized by the Department of Transportation, its successors or assigns, and to be financed by the incurring of debt, shall be \$143,000.

Section 203. Itemization of transportation assistance projects.

Additional capital projects in the category of transportation assistance projects to be constructed by the Department of Transportation, its successors or assigns, and to be financed by the incurring of debt, are hereby itemized, together with their respective estimated financial costs as follows:

Project	Base Project Allocation	Design and Contingency Allocation	Total Project Allocation
(1) Greater Alliquippa Transit Authority:			
(i) Replacement of buses.	\$130,000	\$13,000	\$143,000

Section 204. Debt authorizations.

The Governor, Auditor General and State Treasurer are hereby authorized and directed to borrow, from time to time, in addition to any authorization heretofore or hereafter enacted, on the credit of the Commonwealth, subject to the limitations provided in the act of , entitled "An act providing for the capital budget for fiscal year 1983-1984," money not exceeding in the aggregate the sum of \$143,000 as may be found necessary to carry out the acquisition and construction of the transportation assistance projects specifically itemized in a Capital Budget.

Section 205. Issue of bonds.

The indebtedness herein authorized shall be incurred from time to time and shall be evidenced by one or more series of general obligation bonds of the Commonwealth in such aggregate principal amount for each series as the Governor, Auditor General and State Treasurer shall determine, but the latest stated maturity date shall not exceed the estimated useful life of the project being financed as stated in section 206.

Section 206. Estimated useful life of project.

The General Assembly states that the estimated useful life of the projects heretofore is as follows:

- (1) Passenger Buses, 12 years.

Section 207. Appropriation.

The net proceeds of the sale of the obligations herein authorized are hereby appropriated from the Capital Facilities Fund to the Department of Transportation in the maximum amount of \$143,000 to be used by it exclusively to defray the financial cost of the transportation assistance projects specifically itemized in a Capital Budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay to the Department of Transportation the moneys as required and certified by it to be legally due and payable.

Section 208. Allocation of funds.

Whenever as determined by the Department of Transportation that the full estimated financial costs of the transportation assistance projects itemized in section 203 are not necessary for the proper design, acquisition or construction of the projects, the excess funds no longer required may be allocated to increase the estimated cost of any one or more of the transportation assistance projects specifically itemized in a Capital Budget.

Section 209. Legislative intent.

It is the intent of the General Assembly that the authorizations provided in section 203 represent the full State share of 16 2/3% of the total project costs.

CHAPTER III
EFFECTIVE DATE

Amend Sec. 4, page 3, line 20, by striking out "4" and inserting
301

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

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

Mr. LAUGHLIN. Mr. Speaker, the amendment merely adds the amount of money that is necessary to take care of the replacement of buses for the Transit Authority of Aliquippa. I ask for an affirmative vote.

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

Mr. FRYER. Mr. Speaker, could the gentleman inform the members of the House what this proposal of his would cost? A minor matter, of course.

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

Mr. LAUGHLIN. Mr. Speaker, very clearly, the response to the gentleman's question is that he may not recall, but the amendment that I offered, No. 2150, to this same bill reduced the amount of money that was involved in the Beaver County Transit Authority's needs and replaced it with the money for the Aliquippa Authority.

What we had originally, Mr. Speaker, last year in the bill that we had passed, was approximately \$555,000 for the purchase of buses in Beaver County for the Transit Authority of Aliquippa and the Beaver County Transit Authority. This lowers the amount of need for the Aliquippa Authority because their service area has been reduced, and thus the reduction in the need that they have.

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

The SPEAKER. The Chair thanks both gentlemen.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair has given permission to Andrea Korf of WGAL-TV to film for 10 minutes video tape on the floor of the House.

The Chair also gives permission to WHP-TV 21 to film video tape on the floor of the House for 10 minutes.

CONSIDERATION OF SB 666 CONTINUED

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

The following roll call was recorded:

YEAS—174

Afflerbach	Dombrowski	Livengood	Ryan
Alderette	Donatucci	Lloyd	Rybak
Angstadt	Duffy	Lucyk	Saloom
Armstrong	Durham	McCall	Salvatore

Arty	Evans	McClatchy	Saurman
Baldwin	Fattah	McHale	Scheetz
Barber	Fee	McIntyre	Schuler
Battisto	Fischer	McMonagle	Serafini
Belardi	Flick	Mackowski	Seventy
Belfanti	Foster, Jr., A.	Maiale	Showers
Beloff	Freeman	Manderino	Sirianni
Blaum	Freind	Manmiller	Smith, B.
Book	Fryer	Markosek	Spitz
Bowser	Gallagher	Mayernik	Stairs
Boyes	Gamble	Michlovic	Steighner
Brandt	Geist	Micozzie	Stevens
Broujos	George	Miller	Stewart
Bunt	Gladeck	Miscevich	Stuban
Burd	Godshall	Morris	Sweet
Burns	Grieco	Mrkonic	Taylor, E. Z.
Caltagirone	Gruitza	Murphy	Taylor, F. E.
Cappabianca	Hagarty	Nahill	Telek
Carn	Haluska	O'Brien	Tigue
Cawley	Harpér	O'Donnell	Trello
Cessar	Hasay	Olasz	Truman
Cimini	Hayes	Oliver	Van Horne
Civera	Hershey	Perzel	Vroon
Clark	Hoefel	Peterson	Wachob
Clymer	Honaman	Petrarca	Wambach
Cohen	Hutchinson	Petrone	Wargo
Colafella	Itkin	Phillips	Wass
Cole	Jarolin	Piccola	Weston
Cordisco	Johnson	Pievsky	Wiggins
Cornell	Kasunic	Pistella	Williams
Coslett	Kosinski	Pitts	Wilson
Cowell	Kowalshyn	Pratt	Wogan
Coy	Kukovich	Preston	Wozniak
Deluca	Lashinger	Punt	Wright, D. R.
DeWeese	Laughlin	Rappaport	Wright, J. L.
Daley	Lescovitz	Reber	Wright, R. C.
Davies	Letterman	Reinard	Zwilk
Dawida	Levi	Richardson	
Deal	Levin	Rieger	Irvis,
Dininni	Linton	Rudy	Speaker

NAYS—26

DeVerter	Herman	Merry	Semmel
Dietz	Jackson	Moehlmann	Smith, L. E.
Dorr	Kennedy	Mowery	Snyder, D. W.
Fargo	Lehr	Noye	Snyder, G. M.
Foster, W. W.	McVerry	Pott	Spencer
Greenwood	Madigan	Robbins	Swift
Gruppo	Marmion		

NOT VOTING—2

Gallen	Gannon
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EXCUSED—1

Klingaman

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

STATEMENT BY MR. DAVIES

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

Mr. DAVIES. Mr. Speaker, I would not raise any objection to the matter of the photographers, although I wish the Chair would extend the courtesy to the gentlemen about their dress and would just caution a few of those who are going to the extreme of not wearing the cravat and so forth and so on to at least try to shape up to the levels that we maintain in this House.

The SPEAKER. The Chair thanks the gentleman.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair has also given permission to WPXI for 10 minutes of filming video tape on the floor of the House.

CONSIDERATION OF SB 666 CONTINUED

On the question recurring,

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

Mr. WILSON offered the following amendments No. A2262:

Amend Title, page 1, line 2, by inserting after "Fund" ; itemizing transportation assistance projects to be acquired or constructed by the Department of Transportation together with its estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the project; stating the estimated useful life of the project; and making an appropriation

Amend Bill, page 1, by inserting between lines 4 and 5

CHAPTER I

GAME FUND PROJECTS

Amend Sec. 1, page 1, line 5, by striking out "1" and inserting

101

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

chapter

Amend Sec. 2, page 1, line 8, by striking out "2" and inserting

102

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

103

Amend Sec. 3, page 2, line 5, by striking out "3" and inserting

103

Amend Bill, page 3, by inserting between lines 19 and 20

CHAPTER II

TRANSPORTATION PROJECTS

Section 201. Short title.

This chapter shall be known and may be cited as the Transportation Assistance Supplement to the Capital Budget Act of the 1983-1984 Fiscal Year.

Section 202. Total authorization.

The total authorization for the additional capital projects in the category of transportation assistance projects itemized in section 203 and with respect to which an interest is to be acquired or constructed by the Department of Transportation, its successors or assigns, and to be financed by the incurring of debt, shall be \$472,300.

Section 203. Itemization of transportation assistance projects.

Additional capital projects in the category of transportation assistance projects to be constructed or with respect to which an interest is to be acquired by the Department of Transportation, its successors or assigns, and to be financed by the incurring of debt, are hereby itemized, together with their respective estimated financial costs as follows:

Project	Base Project Cost	Land Cost	Design Cost	Total Project Cost
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(1) Bucks County

(i) Warrington Twp., Kelly Rd., Bridge Rehabilitation, Length 0.1 Mile...	\$54,000		\$6,000	\$60,000
(ii) Hilltown Twp., Fairhill School Road Bridge, T-332, Bridge Replacement, Length 0.1 Mile...	63,000		7,000	70,000
(iii) Hilltown Twp., Mill Road Bridge, T-417, Bridge Replacement, Length 0.1 Mile...	81,000		9,000	90,000
(iv) New Britain Twp., Keller Rd., Bridge Replacement, Length 17 Feet....	21,600		2,400	24,000
(v) New Britain Twp., Upper Stump Rd., Bridge Replacement, Length 21 Feet....	47,700		5,300	53,000
(vi) New Britain Twp., Sellersville Rd., Bridge Replacement, Length 17 Feet....	14,220		1,580	15,800
(vii) New Britain Twp., Creek Rd., Bridge Replacement, Length 10 Feet....	6,750		750	7,500
(viii) New Britain Twp., Chapman Rd., Bridge Replacement, Length 5 Feet....	2,700		300	3,000
(ix) New Britain Twp., New Galena Rd., Bridge Replacement, Length 18 Feet....	113,400		12,600	126,000
(x) New Britain Twp., Trewig-town Rd., Bridge Replacement, Length				

70 Feet....	10,800	1,200	12,000
(xi) New Britain Twp., Upper Church Rd., Bridge Replacement, Length			
0.1 Mile...	9,900	1,100	11,000

Section 204. Debt authorizations.

The Governor, Auditor General and State Treasurer are hereby authorized and directed to borrow, from time to time, in addition to any authorization heretofore or hereafter enacted, on the credit of the Commonwealth, subject to the limitations provided in the act of _____, entitled "An act providing for the capital budget for fiscal year 1983-1984," money not exceeding in the aggregate the sum of \$472,300 as may be found necessary to carry out the acquisition and construction of the transportation assistance projects specifically itemized in a Capital Budget.

Section 205. Issue of bonds.

The indebtedness herein authorized shall be incurred from time to time and shall be evidenced by one or more series of general obligation bonds of the Commonwealth in such aggregate principal amount for each series as the Governor, Auditor General and State Treasurer shall determine, but the latest stated maturity date shall not exceed the estimated useful life of the project being financed as stated in section 206.

Section 206. Estimated useful life of project.

The General Assembly states that the estimated useful life of the projects heretofore itemized is 30 years.

Section 207. Appropriation.

The net proceeds of the sale of the obligations herein authorized are hereby appropriated from the Capital Facilities Fund to the Department of Transportation in the maximum amount of \$472,300 to be used by it exclusively to defray the financial cost of the transportation assistance projects specifically itemized in a Capital Budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay to the Department of Transportation the moneys as required and certified by it to be legally due and payable.

Section 208. Allocation of funds.

Whenever as determined by the Department of Transportation that the full estimated financial costs of the transportation assistance projects itemized in section 203 are not necessary for the proper design, acquisition or construction of the projects, the excess funds no longer required may be allocated to increase the estimated cost of any one or more of the transportation assistance projects specifically itemized in a Capital Budget.

CHAPTER III
EFFECTIVE DATE

Amend Sec. 4, page 3, line 20, by striking out "4" and inserting

301

On the question,

Will the House agree to the amendments?

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

Mr. WILSON. Mr. Speaker, the amendment is simple. There are some bridges in my district that we would like to get on the capital program, and this is a way of doing it that allows the Governor his options. I urge its adoption.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. LETTERMAN. Mr. Speaker, I do not have a copy of that amendment. I would like that explanation one more time, please.

The SPEAKER. Will the gentleman, Mr. Wilson, send a copy to the gentleman, Mr. Letterman?

The Chair recognizes the gentleman, Mr. Letterman, on the Wilson amendment.

Mr. LETTERMAN. It is okay now, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—195

Aflerbach	Evans	Livengood	Rieger
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	Geist	Markosek	Smith, B.
Brandt	George	Marmion	Smith, L. E.
Bunt	Gladeck	Mayernik	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	Mrkonic	Sweet
Civera	Hasay	Murphy	Taylor, E. Z.
Clark	Hayes	Nahill	Taylor, F. E.
Clymer	Herman	Noye	Tigue
Cohen	Hershey	O'Brien	Trello
Colafella	Hoeffel	O'Donnell	Truman
Cole	Honaman	Olasz	Van Horne
Cordisco	Hutchinson	Oliver	Vroon
Cornell	Itkin	Perzel	Wachob
Coslett	Jackson	Peterson	Wambach
Cowell	Jarolin	Petrarca	Wargo
Coy	Johnson	Petrone	Wass
Deluca	Kasunic	Phillips	Weston
DeVerter	Kennedy	Piccola	Wiggins
DeWeese	Kosinski	Pievsky	Williams
Daley	Kowalyshyn	Pistella	Wilson
Davies	Kukovich	Pitts	Wogan
Dawida	Lashinger	Pott	Wozniak
Deal	Laughlin	Pratt	Wright, D. R.
Dietz	Lehr	Preston	Wright, J. L.
Dininni	Lescovitz	Punt	Wright, R. C.
Dombrowski	Letterman	Rappaport	Zwinkl
Donatucci	Levi	Reber	
Dorr	Levin	Reinard	Irvis,
Duffy	Linton	Richardson	Speaker
Durham			

NAYS—4

Merry	Robbins	Snyder, D. W.	Swift
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NOT VOTING—3

Broujos Gannon Telek

EXCUSED—1

Klingaman

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?

Mr. MAYERNIK offered the following amendments No. A2258:

Amend Title, page 1, line 2, by inserting after "Fund" ; and, itemizing a public improvement project to be constructed with its estimated financial cost; and stating the estimated useful life of the project.

Amend Bill, page 1, by inserting between lines 4 and 5

CHAPTER I

GAME FUND PROJECTS

Amend Sec. 1, page 1, line 5, by striking out "1" and inserting

101

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

chapter

Amend Sec. 2, page 1, line 8, by striking out "2" and inserting

102

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

103

Amend Sec. 3, page 2, line 5, by striking out "3" and inserting

103

Amend Bill, page 3, by inserting between lines 19 and 20

CHAPTER II

TRANSPORTATION PROJECTS

Section 201. Short title.

This chapter shall be known and may be cited as the Public Improvement Supplement to the Capital Budget Act of the 1983-1984 Fiscal Year.

Section 202. Total authorization.

The total authorization for the additional capital project in the category of public improvements to be financed from current revenues shall be \$57,500.

Section 203. Itemization of public improvement project.

An additional capital project in the category of public improvement projects to be constructed, and to be financed from current revenues is hereby itemized, together with its respective estimated financial costs as follows:

Project	Base Project Allocation	Design and Contingency Allocation	Total Project Allocation
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(1) Allegheny County

(i) Waterline

Extension -

Kilbuck Twp.

\$57,500

Section 204. Estimated useful life of project.

The General Assembly states that the estimated useful life of the project heretofore itemized is 50 years.

CHAPTER III

EFFECTIVE DATE

Amend Sec. 4, page 3, line 20, by striking out "4" and inserting

301

On the question,

Will the House agree to the amendments?

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

Mr. MAYERNIK. This amendment simply allocates \$57,500 for a waterline extension badly needed in Kilbuck Township.

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—180

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

NAYS—20

Clymer	Fryer	McVerry	Noye
DeVerter	Gallen	Marmion	Robbins
Fargo	Greenwood	Merry	Smith, L. E.
Fischer	Herman	Moehlmann	Snyder, D. W.
Foster, W. W.	Jackson	Nahill	Swift

NOT VOTING—2

Serafini Telek

EXCUSED—1

Klingaman

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?

Mr. HUTCHINSON offered the following amendments No. A2324:

Amend Title, page 1, line 2, by inserting after "Fund" ; itemizing a bridge replacement project to be acquired or constructed by the Department of Transportation together with its estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the project; stating the estimated useful life of the project; and making an appropriation

Amend Bill, page 1, by inserting between lines 4 and 5

CHAPTER I

GAME FUND PROJECTS

Amend Sec. 1, page 1, line 5, by striking out "1" and inserting

101

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

chapter

Amend Sec. 2, page 1, line 8, by striking out "2" and inserting

102

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

103

Amend Sec. 3, page 2, line 5, by striking out "3" and inserting

103

Amend Bill, page 3, by inserting between lines 19 and 20

CHAPTER II

BRIDGE PROJECTS

Section 201. Short title.

This chapter shall be known and may be cited as the Bridge Replacement Supplement to the Capital Budget Act of the 1983-1984 Fiscal Year.

Section 202. Total authorization.

The total authorization for the additional capital projects in the category of bridge replacement projects itemized in section 203 and with respect to which an interest is to be acquired or constructed by the Department of Transportation, its successors or assigns, and to be financed by the incurring of debt, shall be \$255,000.

Section 203. Itemization of bridge replacement projects.

Additional capital projects in the category of bridge replacement projects to be constructed or with respect to which an interest is to be acquired by the Department of Transportation, its successors or assigns, and to be financed by the incurring of debt, are hereby itemized, together with their respective estimated financial costs as follows:

Project	Base Project Allocation	Land Cost	Design and Contingency Allocation	Total Project Allocation
(1) Westmoreland County (i) State Bridge, L.R.64144,				

Par A, T.R.981,
Bridge over
Youghioghney
River, Smithton
Boro., Bridge
Replacement,
Length 0.3

Mile. \$4,000,000 \$200,000 \$400,000 \$4,600,000
Section 204. Debt authorizations.

The Governor, Auditor General and State Treasurer are hereby authorized and directed to borrow, from time to time, in addition to any authorization heretofore or hereafter enacted, on the credit of the Commonwealth, subject to the limitations provided in the act of , entitled "An act providing for the capital budget for fiscal year 1983-1984," money not exceeding in the aggregate the sum of \$4,600,000 as may be found necessary to carry out the acquisition and construction of the bridge replacement projects specifically itemized in a Capital Budget.

Section 205. Issue of bonds.

The indebtedness herein authorized shall be incurred from time to time and shall be evidenced by one or more series of general obligation bonds of the Commonwealth in such aggregate principal amount for each series as the Governor, Auditor General and State Treasurer shall determine, but the latest stated maturity date shall not exceed the estimated useful life of the project being financed as stated in section 206.

Section 206. Estimated useful life of project.

The General Assembly states that the estimated useful life of the projects heretofore itemized is 30 years.

Section 207. Appropriation.

The net proceeds of the sale of the obligations herein authorized are hereby appropriated from the Capital Facilities Fund to the Department of Transportation in the maximum amount of \$4,600,000 to be used by it exclusively to defray the financial cost of the bridge replacement projects specifically itemized in a Capital Budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay to the Department of Transportation the moneys as required and certified by it to be legally due and payable.

Section 208. Allocation of funds.

Whenever as determined by the Department of Transportation that the full estimated financial costs of the bridge replacement projects itemized in section 203 are not necessary for the proper design, acquisition or construction of the projects, the excess funds no longer required may be allocated to increase the estimated cost of any one or more of the bridge replacement projects specifically itemized in a Capital Budget.

CHAPTER III
EFFECTIVE DATE

Amend Sec. 4, page 3, line 20, by striking out "4" and inserting

301

On the question,

Will the House agree to the amendments?

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

Mr. HUTCHINSON. Thank you, Mr. Speaker.

This amendment will put money in the budget for replacement of a bridge across the Youghioghney River in Westmoreland County. Four and a half million dollars; a reasonable figure.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—179

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

NAYS—14

Clymer	Greenwood	Robbins	Snyder, D. W.
Fargo	Herman	Scheetz	Snyder, G. M.
Fischer	Madigan	Semmel	Swift
Fryer	Merry		

NOT VOTING—9

Broujos	Gannon	Miller	Reber
Cornell	McIntyre	Noye	Telek
Donatucci			

EXCUSED—1

Klingaman

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?

REMARKS ON VOTES

The SPEAKER. For what purpose does the gentleman from Montgomery, Mr. Reber, rise?

Mr. REBER. Mr. Speaker, on that last amendment, A2324 to SB 666, my switch did not operate. I would like to be recorded in the affirmative, please.

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

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

Mr. DORR. Mr. Speaker, my vote was inaccurately recorded on the Laughlin amendment to SB 666. I would like the record to show that I voted in the affirmative.

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

CONSIDERATION OF SB 666 CONTINUED

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

Mr. LETTERMAN. Mr. Speaker, I thought I was doing the right thing when I allowed the amendment in the first place to SB 666 so that everybody would have the opportunity to put their projects in. Now every time we turn around somebody else has a project to put in. I would like to make a suggestion that we hold this bill until after caucus is over, and anybody who does not have his amendment prepared by that time does not have the opportunity to put it in. It has been 11 days on the floor, and I think that is long enough. This bill is badly needed to get over to the Senate to be passed before we adjourn.

The SPEAKER. The Chair thanks the gentleman.

The Chair has two amendments to be offered - the gentleman, Mr. Pitts, and I am informed that the gentleman, Mr. McClatchy, may have an amendment to this bill. If there are no other amendments to this bill, then it is quite within reason to announce that we will— Does the gentleman, Mr. Trello, have an amendment to the bill? The gentleman, Mr. Hutchinson, has an amendment to the bill.

The Chair has been informed now that there are amendments to SB 666 - the gentleman, Mr. Pitts; the gentleman, Mr. McClatchy; the gentleman, Mr. Trello; the gentleman, Mr. Amos Hutchinson; and the gentleman, Mr. DeLuca. The Chair will therefore pass over the bill temporarily. That means that the bill will be available for amendment by those gentlemen when we return from caucus. Then the bill will be called up on final passage.

BILL PASSED OVER TEMPORARILY

The SPEAKER. SB 666, PN 748, as amended, will go over temporarily. Mark it over temporarily. We will come back to it later in the day.

* * *

The House proceeded to third consideration of **SB 873, PN 1027**, entitled:

An Act making an appropriation from the State Employees' Retirement Fund to provide for expenses of the State Employees' Retirement Board for the fiscal year July 1, 1983 to June 30, 1984 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983.

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	Evans	Lucy	Rudy
Alderette	Fargo	McCall	Ryan
Angstadt	Fattah	McClatchy	Rybak
Armstrong	Fee	McHale	Saloom
Arty	Fischer	McIntyre	Salvatore
Baldwin	Flick	McMonagle	Saurman
Barber	Foster, W. W.	McVerry	Scheetz
Battisto	Foster, Jr., A.	Mackowski	Schuler
Belardi	Freeman	Madigan	Semmel
Belfanti	Freind	Maiale	Serafini
Beloff	Fryer	Manderino	Seventy
Blaum	Gallagher	Manmiller	Showers
Book	Gallen	Markosek	Sirianni
Bowser	Gamble	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	Mrkonc	Stuban
Cessar	Harper	Murphy	Sweet
Cimini	Hasay	Nahill	Taylor, E. Z.
Civera	Hayes	Noye	Taylor, F. E.
Clark	Herman	O'Brien	Telek
Clymer	Hershey	O'Donnell	Tigue
Cohen	Hoeffel	Olasz	Trello
Colafrella	Honaman	Oliver	Truman
Cole	Hutchinson	Perzel	Van Horne
Cordisco	Itkin	Peterson	Vroon
Cornell	Jackson	Petrarca	Wachob
Coslett	Jarolin	Petrone	Wambach
Cowell	Johnson	Phillips	Wargo
Coy	Kasunic	Piccola	Wass
Deluca	Kennedy	Pievsky	Weston
DeVerter	Kosinski	Pistella	Wiggins
DeWeese	Kowalyszyn	Pitts	Williams
Daley	Kukovich	Pott	Wilson
Davies	Lashingner	Pratt	Wogan
Dawida	Laughlin	Preston	Wozniak
Deal	Lehr	Punt	Wright, D. R.
Dietz	Lescovitz	Rappaport	Wright, J. L.
Dininni	Letterman	Reber	Wright, R. C.
Dombrowski	Levi	Reinard	Zwinkl
Donatucci	Levin	Richardson	
Dorr	Linton	Rieger	Iris,
Duffy	Livengood	Robbins	Speaker
Durham	Lloyd		

NAYS—1

Swift

NOT VOTING—1

Gannon

EXCUSED—1

Klingaman

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 874, PN 1028**, entitled:

An Act making an appropriation from the Public School Employees' Retirement Fund to provide for expenses of the Public School Employees' Retirement Board for the fiscal year July 1, 1983 to June 30, 1984 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983.

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	Evans	Lucy	Rudy
Alderette	Fargo	McCall	Ryan
Angstadt	Fattah	McClatchy	Rybak
Armstrong	Fee	McHale	Saloom
Arty	Fischer	McIntyre	Salvatore
Baldwin	Flick	McMonagle	Saurman
Barber	Foster, W. W.	McVerry	Scheetz
Battisto	Foster, Jr., A.	Mackowski	Schuler
Belardi	Freeman	Madigan	Semmel
Belfanti	Freind	Maiale	Serafini
Beloff	Fryer	Manderino	Seventy
Blaum	Gallagher	Manmiller	Showers
Book	Gallen	Markosek	Sirianni
Bowser	Gamble	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	Mrkonc	Stuban
Cessar	Harper	Murphy	Sweet
Cimini	Hasay	Nahill	Taylor, E. Z.
Civera	Hayes	Noye	Taylor, F. E.
Clark	Herman	O'Brien	Telek
Clymer	Hershey	O'Donnell	Tigue
Cohen	Hoeffel	Olasz	Trello
Colafrella	Honaman	Oliver	Truman
Cole	Hutchinson	Perzel	Van Horne

Cordisco	Itkin	Peterson	Vroon
Cornell	Jackson	Petrarca	Wachob
Coslett	Jarolin	Petrone	Wambach
Cowell	Johnson	Phillips	Wargo
Coy	Kasunic	Piccola	Wass
Deluca	Kennedy	Pievsky	Weston
DeVerter	Kosinski	Pistella	Wiggins
DeWeese	Kowalyszyn	Pitts	Williams
Daley	Kukovich	Pott	Wilson
Davies	Lashingier	Pratt	Wogan
Dawida	Laughlin	Preston	Wozniak
Deal	Lehr	Punt	Wright, D. R.
Dietz	Lescovitz	Rappaport	Wright, J. L.
Dininni	Letterman	Reber	Wright, R. C.
Dombrowski	Levi	Reinard	Zwinkl
Donatucci	Levin	Richardson	
Dorr	Linton	Rieger	Irvis,
Duffy	Livengood	Robbins	Speaker
Durham	Lloyd		

NAYS—1

Swift

NOT VOTING—1

Gannon

EXCUSED—1

Klingaman

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 875, PN 1029**, entitled:

An Act making an appropriation to the Department of Labor and Industry from the Workmen's Compensation Administration Fund to provide for the expenses of administering the Pennsylvania Workmen's Compensation Act and the Pennsylvania Occupational Disease Act for the fiscal year July 1, 1983 to June 30, 1984 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983.

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	Lloyd	Rudy
Alderette	Fargo	Lucyk	Ryan
Angstadt	Fattah	McCall	Rybak
Armstrong	Fee	McClatchy	Saioom
Arty	Fischer	McHale	Salvatore
Baldwin	Flick	McIntyre	Saurman
Barber	Foster, W. W.	McMonagle	Scheetz
Battisto	Foster, Jr., A.	McVerry	Schuler
Belardi	Freeman	Mackowski	Semmel
Belfanti	Freind	Madigan	Serafini
Beloff	Fryer	Maiale	Seventy
Blaum	Gallagher	Manderino	Showers

Book	Gallen	Manmiller	Sirianni
Bowser	Gamble	Markosek	Smith, B.
Boyes	Gannon	Marmion	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	Taylor, E. Z.
Civiera	Hasay	Nahill	Taylor, F. E.
Clark	Hayes	Noye	Telek
Clymer	Herman	O'Brien	Tigue
Cohen	Hershey	O'Donnell	Trello
Colafella	Hoefel	Olasz	Truman
Cole	Honaman	Oliver	Van Horne
Cordisco	Hutchinson	Perzel	Vroon
Cornell	Itkin	Peterson	Wachob
Coslett	Jackson	Petrarca	Wambach
Cowell	Jarolin	Petrone	Wargo
Coy	Johnson	Phillips	Wass
Deluca	Kasunic	Piccola	Weston
DeVerter	Kennedy	Pievsky	Wiggins
DeWeese	Kosinski	Pistella	Williams
Daley	Kowalyszyn	Pitts	Wilson
Davies	Kukovich	Pott	Wogan
Dawida	Lashingier	Pratt	Wozniak
Deal	Laughlin	Preston	Wright, D. R.
Dietz	Lehr	Punt	Wright, J. L.
Dininni	Lescovitz	Rappaport	Wright, R. C.
Dombrowski	Letterman	Reber	Zwinkl
Donatucci	Levi	Reinard	
Dorr	Levin	Richardson	Irvis,
Duffy	Linton	Rieger	Speaker
Durham	Livengood	Robbins	

NAYS—1

Swift

NOT VOTING—0

EXCUSED—1

Klingaman

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 876, PN 1110**, entitled:

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Public Utility Commission.

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—197

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

NAYS—5

Fischer	McVerry	Mrkonic	Swift
Hasay			

NOT VOTING—0

EXCUSED—1

Klingaman

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

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

* * *

The House proceeded to third consideration of SB 880, PN 1034, entitled:

An Act itemizing appropriations required from the Motor License Fund for the fiscal year July 1, 1983 to June 30, 1984 for the proper operation of the several departments of the Commonwealth authorized to spend Motor License Fund moneys.

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—174

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

NAYS—27

Baldwin	Fischer	Lucyk	Saloom
Belardi	Fryer	Morris	Serafini
Belfanti	George	Mrkonic	Showers
Cappabianca	Haluska	Murphy	Stairs
Cawley	Kosinski	Pratt	Swift
Coy	Letterman	Richardson	Tigue
Daley	Lloyd	Rudy	

NOT VOTING—1

Maiale

EXCUSED—1

Klingaman

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 308, PN 1115**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," providing for equal rights between men and women; allowing a negotiable item for State employees; and making editorial changes.

On the question,

Will the House agree to the bill on third consideration?

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

Mr. GALLEN. Mr. Speaker, I think there are amendments to this bill - Mr. Foster's.

The SPEAKER. The Chair was not so informed. The Chair thanks Mr. Gallen.

Does the gentleman, Mr. Foster, have the amendments ready?

Mr. A. C. FOSTER. The amendments are not yet prepared. They are being drafted.

BILL PASSED OVER TEMPORARILY

The SPEAKER. The Chair thanks the gentleman. SB 308, PN 1115, will go over for today.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I would rather that that go over temporarily, and I would ask Mr. Foster to get his amendments prepared.

The SPEAKER. The request of the majority leader will be acceded to. The bill actually was moved over temporarily, because the Chair did not have any knowledge of any amendments.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, part of the confusion, I am sure, on that particular bill is that the voting schedule for today, promulgated by the majority leader, does not indicate that that bill is to be run, nor do the leadership calendars indicate that it is marked to be run.

The SPEAKER. The only confusion, I guess, is in the Chair. The Chair does not have any amendments to it.

Mr. RYAN. It was our understanding that it was not to be run today. I know that there are other members who discussed amendments, and when they talked to me, I said, do not worry about it, we have got enough to do today and that is not scheduled to be run.

The SPEAKER. We will pass it over temporarily, and that will give all members a chance to have their amendments drafted.

We are passing over temporarily SB 308, PN 1115, without objection. The Chair hears no objection. If there be any other amendments to be drafted to this, the Chair would request that you get busy on that now.

* * *

The House proceeded to third consideration of **SB 300, PN 1063**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "local authorities" to include airport authorities which are not located within counties of the first class or counties of the second class.

On the question,

Will the House agree to the bill on third consideration?

Mr. FLICK offered the following amendments No. A2079:

Amend Title, page 1, line 4, by inserting after "CLASS" where it appears the second time

; providing for notice relating to chemical tests; and driving under the influence

Amend Bill, page 2, line 6, by striking out all of said line and inserting

Section 2. Section 3731 of Title 75 is amended by adding a subsection to read:

§ 3731. Driving under influence of alcohol or controlled substance.

* * *

(g) Notice by department.—The department shall prepare a notice which shall contain a clear statement of the penalties prescribed by law for driving under the influence in violation of this section, for homicide by vehicle while driving under influence in violation of section 3735 (relating to homicide by vehicle while driving under influence), for refusal to take a chemical test provided for in section 1547 (relating to chemical testing to determine amount of alcohol or controlled substance) and for consuming alcohol or a controlled substance in a vehicle while the vehicle is in operation on any highway in violation of section 3715 (relating to restriction on alcoholic beverages). The notice shall include a statement that the length of any suspension of operating privileges resulting from a refusal to take a chemical test shall be in addition to the length of any suspension imposed as a result of a conviction for driving under the influence notwithstanding the fact that both suspensions were imposed in connection with the same incident. The notice shall also include a statement advising that it is possible that these penalties could be revised, in whole or in part, by the General Assembly prior to their receipt of a subsequent notice. Failure to receive the notice shall not be a defense in any criminal, license suspension or license revocation proceeding brought pursuant to this title or in any other action whether or not the failure is due to an error or omission on the part of the department. The department shall provide the notice to operators of motor vehicles in the same mailing that it utilizes for the issuance of learners' permits and for the issuance and renewal of drivers' licenses or at the time of issuance of a photo driver's license.

Section 3. Section 2 of this act shall expire four years from its effective date.

Section 4. This act shall take effect immediately, except for sections 2 and 3 which shall take effect in 120 days.

On the question,

Will the House agree to the amendments?

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

Mr. FLICK. Thank you, Mr. Speaker.

My amendment attempts to promote further safety on our highways. There are approximately 7 1/2 million motor vehicle operators licensed in the Commonwealth of Pennsylvania. My amendment would direct the Pennsylvania Department of Transportation to provide a small insert which would be included in their normal mailing for renewal of operators' licenses and learners' permits. The insert would outline the penalties that were passed in the last session regarding driving under the influence. There is a nominal cost to the Department of Transportation. The House Democratic Appropriations Committee recognizes it at approximately \$24,000; the Republican staff states it would be nominal.

I think that this amendment is a good amendment. I have spoken with the Department of Transportation, with the Secretary, Mr. Larson. I have his support. Included in my amendment is an amendment that he and his department prepared that would make this merely a 4-year project, which would include every holder of a motor vehicle operator's license being notified of the penalties associated with driving under the influence and the other penalties in that bill.

It is a good amendment. I think it is one that everyone should support. I have spoken with the House Transportation Committee leadership on both sides of the aisle, and I believe that I have their support. I thank you very much, Mr. Speaker.

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—199

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

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

NAYS—1

Letterman

NOT VOTING—2

Hutchinson Spitz

EXCUSED—1

Klingaman

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

On the question,

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

BILL PASSED OVER TEMPORARILY

The SPEAKER. The Chair is informed that the gentleman, Mr. Greenwood, has additional amendments to offer. The Chair will pass over the bill temporarily, until we can find out how many more amendments there are to the bill.

BILL ON FINAL PASSAGE POSTPONED

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. MANDERINO, the House resumed consideration on final passage of **HB 110, PN 1294**, entitled:

An Act amending the act of June 19, 1982 (No. 23A), entitled "An act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania," providing an additional appropriation for certain unpaid bills and debts; and requiring certain actions by the Department of Education and the Office of the Auditor General.

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—104

Afflerbach	Fattah	McCall	Rieger
Alderette	Fee	McClatchy	Rybak
Angstadt	Foster, Jr., A.	McHale	Saloom
Arty	Freeman	McIntyre	Seventy
Barber	Fryer	McMonagle	Spitz

Battisto	Gallagher	Maiale	Steighner
Beloff	Gamble	Manderino	Stewart
Blaum	Gannon	Markosek	Stuban
Broujos	George	Michlovic	Sweet
Caltagirone	Gruitza	Miscevich	Taylor, F. E.
Cappabianca	Haluska	Morris	Tigue
Cawley	Harper	Mrkonic	Trello
Clark	Hoeffel	Murphy	Truman
Cohen	Hutchinson	O'Donnell	Van Horne
Colafella	Itkin	Olasz	Wachob
Cole	Jarolin	Oliver	Wambach
Cordisco	Kasunic	Petrarca	Wargo
Cowell	Kosinski	Petrone	Wiggins
Deluca	Kowalshyn	Pievsky	Williams
DeWeese	Kukovich	Pistella	Wozniak
Davies	Lashingier	Pitts	Wright, D. R.
Deal	Laughlin	Pott	Wright, R. C.
Dombrowski	Lescovitz	Pratt	Zwinkl
Donatucci	Levin	Preston	
Duffy	Linton	Rappaport	Irvis,
Durham	Lloyd	Richardson	Speaker
Evans	Lucyk		

NAYS—95

Armstrong	Fargo	Livengood	Saurman
Baldwin	Fischer	McVerry	Scheetz
Belardi	Flick	Mackowski	Schuler
Belfanti	Foster, W. W.	Manmiller	Semmel
Book	Freind	Marmion	Serafini
Bowser	Gallen	Mayernik	Showers
Boyes	Geist	Merry	Sirianni
Brandt	Gladeck	Micozzie	Smith, B.
Bunt	Godshall	Moehlmann	Smith, L. E.
Burd	Greenwood	Mowery	Snyder, D. W.
Burns	Grieco	Nahill	Snyder, G. M.
Cessar	Gruppo	Noye	Spencer
Cimini	Hagarty	O'Brien	Stairs
Civera	Hasay	Perzel	Stevens
Clymer	Hayes	Peterson	Swift
Cornell	Herman	Phillips	Taylor, E. Z.
Coslett	Hershey	Piccola	Telek
Coy	Honaman	Punt	Vroon
DeVerter	Jackson	Reber	Wass
Daley	Johnson	Reinard	Weston
Dawida	Kennedy	Robbins	Wilson
Dietz	Lehr	Rudy	Wogan
Dininni	Letterman	Ryan	Wright, J. L.
Dorr	Levi	Salvatore	

NOT VOTING—3

Carn	Madigan	Miller
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EXCUSED—1

Klingaman

Less than the two-thirds majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following HB 379, PN 1411, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act providing for the licensing and regulating of public adjusters and public adjuster solicitors.

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

The SPEAKER. The Chair recognizes the majority leader on concurrence in Senate amendments to HB 379.

Mr. MANDERINO. Mr. Speaker, I ask that the House nonconcur in the Senate amendments to HB 379.

The SPEAKER. On the question, the gentleman, Mr. Manderino, has requested that the vote be in the negative.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, on the question of concurrence, it is my understanding that there was a mistake made and that the Senate would like it to go into conference to make an editorial or technical change. That is the information I have on it. On that basis, I would ask for nonconcurrence.

The SPEAKER. The gentleman, Mr. Ryan, suggests on the question that the vote be in the negative.

For what purpose does the gentleman from Allegheny, Mr. Dawida, rise?

Mr. DAWIDA. Just to agree with the two gentlemen.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—1

Pratt

NAYS—199

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

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

NOT VOTING—2

Civera Greenwood

EXCUSED—1

Klingaman

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

Ordered, That the clerk inform the Senate accordingly.

REMARKS ON VOTE

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

Mr. CIVERA. Mr. Speaker, on concurrence in Senate amendments to HB 379, my switch was inoperative, and I would like to be recorded in the negative.

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

SENATE MESSAGE

SENATE ADOPTS REPORT OF
COMMITTEE OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on **SB 706, PN 1116**.

REPORT OF COMMITTEE
OF CONFERENCE CONSIDERED

Mr. MANDERINO called up for consideration the following Report of the Committee of Conference on **SB 706, PN 1116**, entitled:

An Act amending the act of December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), entitled "Unemployment Compensation Law," further defining "contribution" and "wages"; further providing for administrative matters, for the rate of contribution by employers; providing for employee contributions; providing for an interest tax; further providing for the rate and amount of benefits; establishing the Interest Fund; making appropriations; and making repeals.

On the question,

Will the House adopt the report of the committee of conference?

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

Mr. DOMBROWSKI. Thank you, Mr. Speaker.

I rise to ask for nonconcurrence on the Conference Committee Report on SB 706.

Two weeks ago this House voted on an amendment to SB 706 that would eliminate the pension offset. This amendment passed the House by a unanimous vote. The conference committee decided to take the amendment out of SB 706 when they inserted the UC (unemployment compensation) compromise into the bill. Despite the fact that there was not a negative vote for the pension offset on the floor of the House, the amendment received no support from the conference committee. The rationale was that it would be unwise to liberalize benefits when the UC fund is in such bad shape.

Allow me to quote to you from an article published by the National Federation of Independent Business.

Under certain circumstances, corporate officers of small companies that go involuntarily bankrupt will be able to collect UC benefits. Under the present system, corporate officers of small companies must pay UC taxes on themselves but may not collect benefits (even if they go bankrupt). Quite frankly, most small employers are not interested in ever receiving UC benefits. Rather, they would prefer not to pay the tax on themselves. Unfortunately, this is a Federal requirement and will be very difficult to change. Therefore, the above reform is again a partial relief and does end the "taxation without representation" situation under the present law.

Now I would like to cite an example to you from another section of our society. Joe Smith enlisted in the U.S. Army at the age of 25. In the defense of our country, Mr. Smith lost a leg. As a result of this unfortunate incident, Mr. Smith is receiving a 100-percent disability pension from the government. As Mr. Smith is just 30 years old when he gets discharged, he returns to work in the private sector. His employer must pay a tax on his taxable wage base. In addition to this, we are asking Mr. Smith, under the new law, to pay one-tenth of 1 percent of his wages into the fund. Should Mr. Smith become unemployed because of the lack of work, we are telling him he is not eligible for unemployment because of the pension he receives from the government. I ask, is this not a form of taxation without representation?

Once again, Mr. Speaker, I ask for a nonconcurrence vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question of concurrence or nonconcurrence, the Chair recognizes the gentleman from Northampton, Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose concurrence in the Conference Committee Report on SB 706. The bill we have before us today has been touted as a compromise between business and labor, yet this so-called compromise takes more from labor and the small businessman than it actually does from the big businesses.

Although the taxable wage base would be raised from the present Federally mandated \$7,000 to a level of \$8,000, this increase in the taxable wage base is far from exorbitant and would more than likely be increased to that level next year by Federal mandate anyway. Furthermore, 17 States, roughly one-third of the States in the Nation, already have a taxable wage base of \$8,000 or more. Fourteen of those States have a taxable wage base above \$8,000, and eight have a wage base of \$10,000 or more, yet not one of those eight States is from the depressed industrial area of the Northeast.

Industry has pointed out that the maximum tax on the wage base in this bill will be raised from 6.6 percent to 9.7, yet this maximum ceiling will not be paid by scores of big businesses. It will, however, be paid by already depressed small industries, such as the garment industry, whose seasonal-oriented labor schedule gives that industry an experience rating that pushes its tax to the maximum of 9.7 percent. Couple this new burden with the already monumental handicap of foreign imports, and this bill means an end to the garment industry in Pennsylvania and, more importantly, the jobs that that industry provides.

The relatively low taxable wage base of \$8,000 will most definitely have a negative impact upon the small businesses of this Commonwealth. The 15-percent surcharge tax robs small businesses of what little capital funds they have to weather this period of depression with its decline in consumer purchasing. In addition, since most small businesses pay little more than \$8,000 a year in wages to each worker they employ, these small businesses will carry the full burden of the tax increase. In the last election, both gubernatorial candidates pledged their support for small businesses in Pennsylvania. Both candidates were fond of citing the fact that two out of every three jobs in our Commonwealth are created by small businesses. This bill does very little to preserve those jobs or to promote the creation of new jobs in the small business sector. Indeed, this bill is a handicap to the viability of the small businesses in Pennsylvania, which are struggling to survive the present economic depression.

Despite the burden that this bill would place upon small businesses, the greatest burden would be borne by the laid-off workers, who depend upon full unemployment compensation benefits in order to pay their bills, provide the basic necessities of life to their families, and insure the overall health, well-being, and stability of the family unit. This UC package calls for a 5-percent cut in benefits starting this August. Such a cut in benefits during a period of high unemployment like the one we are in now can be truly catastrophic to the family of an unemployed worker who tries to make ends meet on a reduced budget. As the cost of living remains high and such areas as utility rates continue to rise, the loss of 5 percent of a worker's UC benefits can put that worker's family in a grave financial bind. A reduction of 5 percent in benefits brings the laid-off worker 5 percent closer to being unable to meet mortgage payments, which puts the worker's family 5 percent closer to losing their home to foreclosure. A reduction of 5 percent in benefits brings an unemployed person 5 percent closer to

being unable to meet car payments, which makes that laid-off person 5 percent closer to losing their car, which oftentimes is the only available means of transportation that the laid-off worker has at his or her disposal in order to go looking for a new job.

The simple fact of the matter is that you do not cut unemployment compensation benefits when they are needed the most, as they are here in Pennsylvania today, with its unemployment rate the highest it has been since the Great Depression of the 1930's. To do so is to commit a cold and heartless act against people in their hour of need, when they have no other place to turn to except their unemployment compensation. Full UC benefits must be the unemployed worker's right to collect if we are to maintain the mantle of a decent, caring society here in Pennsylvania. UC benefits were introduced during the Great Depression of the 1930's as an essential helping hand to unemployed workers. This bill undercuts that very concept of a helping hand for the unemployed workers in our own depression of the 1980's.

In addition to cutting 5 percent of the benefits, this UC package calls for the loss entirely of the first week of benefits. At first, this may not seem like much of a loss, but to those workers who have toiled in our mills and factories and are suddenly faced with a layoff, the loss of just 1 week's benefits, particularly the first week of benefits, can result not only in the disruption in the worker's lifestyle, but more importantly, it can cause an unnecessary hardship that seriously undercuts a worker's ability to pay bills and generally make ends meet. This is so because our State's workers are not guaranteed any advance notice of a layoff. Without that advance notice, they cannot adjust their family budgets ahead of time. Until we provide by law for the advance notice of plant closings and heavy layoffs, it is incumbent upon us to retain the first week of benefits. Besides, the whole idea behind unemployment compensation is to make it available to workers when they need it, and they most definitely need those benefits in the first week of unemployment.

Another provision of the UC package calls for a permanent tax of one-tenth of 1 percent on the wages of employees to be paid out of their paychecks. This seems like a modest proposal and in the best of economic times would have my support in order to help balance a deficit-ridden UC fund. But these are not the best of economic times. An increase of any additional tax burden on working families at a time when this very House contemplates other increases in taxes adds one more burden on the shoulders of working people in Pennsylvania at a time when they can least afford to pay for it. Furthermore, this tax is especially repugnant when one realizes the double standard being introduced here. An employer will only have to pay taxes on the first \$8,000 of wages, but the workers will have to pay their UC tax on every dollar they earn. If workers are to be required to pay on every dollar of their wage base, so, too, should the employer be required to pay on the entire wage base.

There is an added negative side effect to cutting UC benefits which is often overlooked. The negative side effect of which I

speak helps to undermine the stability of local shops and service industries in the heavily unemployed areas of our State, for a cut in UC benefits not only makes it tougher for a laid-off worker to make ends meet, it also makes it tougher for the local shops and service industries to keep going, since reduced benefits means a reduction in consumer purchases. Reduced benefits means reduced sales, thus creating a downward spiral in the local economy that will make it near impossible for the local stores to recover from an economic depression, thereby leaving that depressed locale permanently crippled and deprived of any local support and service businesses.

In closing, let me say that I realize that some form of unemployment compensation settlement is needed in order to safeguard the fund, restore solvency, and begin the process of paying off the nearly \$3-billion debt. However, this bill is not the appropriate settlement. We would be better advised to lift the ceiling on the taxable wage base entirely, thereby allowing a substantial reduction in the percentage of tax levied on the wage base. This action would restore solvency, preserve full benefits, and alleviate the present and impending increased tax burden on small and struggling businesses while most importantly safeguarding the hard-earned dollars of Pennsylvania's workers.

I urge a "no" vote on the Conference Committee Report on SB 706. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, you have just heard two attacks on the Chamber of Commerce - AFL-CIO compromise plan to solve the unemployment crisis. Neither one of these attacks—although they both spoke at varying degrees of length about hardships on workers that may result from them—dealt with the serious and basic fundamental crisis that the unemployment compensation fund faces today.

This plan, like other pieces of legislation, cannot be taken in a vacuum. It does not come out of nowhere. The AFL-CIO is not strongly in favor of this plan because the AFL-CIO believes in benefit cuts. The AFL-CIO is very proud of its record of making Pennsylvania the second highest State in benefits in the United States. The AFL-CIO does not support this plan solely because the AFL-CIO believes in benefit cuts. This plan is supported by the overwhelming majority of organized labor in the State of Pennsylvania because organized labor, as does the Chamber of Commerce, realizes that the State of Pennsylvania has a debt which will in all likelihood exceed \$3 billion by the end of this year. We also have a national administration which, confronted with this debt, has all sorts of means to force Pennsylvanians against our will to take steps which will reduce this debt.

Failure to pass this plan will create havoc in the State of Pennsylvania. Failure to pass this plan will create in the next fiscal year alone \$800 million of penalties, none of which will be used to pay off the debt to be paid for by businesses in Pennsylvania. Failure to pass this plan will seriously endanger the continuity of the flow of benefits.

I certainly understand that workers of Pennsylvania will be very disturbed about a 5-percent cut in benefits. Workers in Pennsylvania will be even more disturbed if there are no benefits at all for a period of time until Pennsylvania passes some kind of plan.

Businesses are very disturbed about the raise in the wage base to \$8,000. They will be even more disturbed if we raise the wage base to \$10,000, to \$20,000, to \$30,000, to any higher figure.

We have to deal with the very real, the very dangerous fiscal crisis that Pennsylvania faces. We also have to deal with the necessity of getting something through the General Assembly. We have to deal with getting a plan that the Federal Government will approve, and this plan, SB 706, deals with the realities facing us. The objections before us do not deal with the realities facing us, and therefore, I strongly urge all members of the House to support SB 706.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Cumberland, Mr. Kennedy.

Mr. KENNEDY. Thank you, Mr. Speaker.

As a disciple of small business, as an active member of the State Chamber, as an ardent admirer of Clifford Jones, I am well aware, as I have read in the paper and as I have studied the UC problem, as an employer, as I have lived with the UC problem, I stand opposed to SB 706 for different reasons than my colleagues on the other side of the aisle. This may come as a surprise to some of the people who helped draft the legislation, but I just feel that since we now rank 48th of all the States in this country in terms of business climate, my fraternity, the small business employer, the guy or the gal with 20 or 30 or 40 employees, I do not believe that they are overwhelmingly happy with the final solution that has been drafted. I also believe that this legislation will pass this House and become a law. Hopefully, it will in fact be a final solution to the problem. But I would just like to make the remark that I do not believe that the "moms and pops" across this Commonwealth are at all aware of what impact this is going to have on them with their UC rates over the next 3 or 4 years.

I do not stand here and urge others to vote against this conference report, but I would just like to go on record as a gentleman and as an employer of people in this Commonwealth that it is, as far as I am concerned, in many ways to the small employer a stab in the heart again of trying to stay competitive within the industries in this State and also in industries where they are competing against other people in our neighboring States, and it is not in the best interests of the small business community. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. PITTS. Thank you, Mr. Speaker.

I rise to urge adoption of SB 706, the conference committee report. I would like to address the remarks of the gentleman, Mr. Kennedy, briefly. Of course this package is not everything everybody wanted, but small business was at the negoti-

ating table and they were very ably represented there, and there were accommodations made for small business in this package.

I would just say that if we do not adopt this conference committee report, we will face a crisis and the business climate of this State will go down drastically. We will make national news, because if we do not address the serious problems of solvency of this fund and repayment of debt, if we go out of conformity in September, which is the deadline that we face, there will be a great disservice done to the business climate of this State. We will be signaling to businesses all across the Nation that Pennsylvania is not the place to come and be in business.

This agreement, this compromise, has been arrived at through tedious negotiations by both the leaders of labor and business and government. There were many long hours and tense moments, and it enjoys the overwhelming support of representatives across our business and labor communities. We have all received many letters to this fact. I think the leadership of the legislature should be commended for bringing to the table business and labor to address such a touchy issue which just a few years ago, in 1980, was very painful for the House to vote on and there was a lot of political bloodletting because of this issue. Here we have really a historic step and achievement when you see labor and business leaders and government sitting down and addressing in a rational fashion the serious problems that confront our unemployment compensation system.

The UC system will collapse if we do not address the problem of solvency and debt repayment by September. So time is short, and I would urge the members to rise above petty partisanship and to support this compromise. It is certainly not addressing every fundamental problem that the unemployment compensation has, but it does establish solvency by 1986; it does establish repayment of the debt, and without it we would go deeper in debt \$1 billion a year and the interest on that debt over the life of the debt would be another \$1 billion. We can no longer afford to neglect this important issue. I urge the members to adopt the report.

The SPEAKER. The Chair thanks the gentleman.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair has given permission for WCAU-TV to film for 10 minutes video tape on the floor of the House.

Likewise, permission has been granted to WPVI-TV to film for 10 minutes video tape on the floor of the House.

CONSIDERATION OF SB 706 CONTINUED

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

Mr. D. R. WRIGHT. Thank you, Mr. Speaker.

As a member of the conference committee which reported SB 706 out, I join others in commending the special task force for its diligence, for its energy, for its spirit of cooperation in

developing the proposed unemployment compensation legislation.

In the legislature we often take pleasure in reaching agreements where all parties to the agreement win. In this instance we have an accord where all parties lose. Business has been willing to bury substantial increases in unemployment taxes, labor has been willing to accept substantial reductions in benefits, and what each side gains is a hope, a hope of a solvent unemployment compensation fund.

The unemployment compensation debt is an enormous problem, but it is not the only problem Pennsylvania faces. The cause of the unemployment compensation debt, in my mind, looms much larger than the problem of the debt itself. In 1981, I believe, we were asked to participate in what was then described as an unemployment compensation reform. Now, Mr. Speaker, in 1983 we are being asked once again to solve the problem for which we had the panacea in 1981. It does not detract from the work of the task force nor does it diminish the necessity of this legislation to observe that what we are doing today is treating the symptoms rather than the disease. Unless Pennsylvania's economy gets moving again, unless we arouse from our passivity about the moribund state of our industrial and commercial enterprises, unless we intervene aggressively to extricate ourselves from the present economic morass, we will be here once again to reform the reforms. And I would hope that the same commitment, the same energy, the same spirit of cooperation that went into this plan could be generated and channeled to solve the root causes of our present economic discontent. All solutions will be temporary until we build permanently a strong economy through comprehensive strategies of recovery and development.

Mr. Speaker, I voted for this bill in conference; I signed it; I expect to vote for it today, but I do so knowing that it does not solve the problem of which it is only a symptom and that the final parties to the agreement must be those who have been elected to bear that responsibility.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Beaver, Mr. Laughlin, on the question.

Mr. LAUGHLIN. Mr. Speaker, I certainly would never stand at this mike and condemn those who had worked to resolve the problem of the State's unemployment compensation fund, least of all the conferees from the House of Representatives who worked diligently to bring about a compromise. However, Mr. Speaker, I do feel that the conferees to a large degree were put in a position of having their hands tied with taking care of a number of other problems that exist within the UC fund.

This certainly is a compromise to balance the funding of a deficit program in this State. However, Mr. Speaker, let us address some of the problems that our constituents have in the State right now. Let us take a look at people who are losing their benefits because of rules and regulations within the department—

The SPEAKER. The gentleman will yield.

Remove that cameraman from the floor. He is not permitted to go up the center aisle of this House. Do not do that again.

The gentleman, Mr. Laughlin, will continue.

Mr. LAUGHLIN. Mr. Speaker, there is no compromise when it comes to the fact that many of our constituents are losing their benefits because of the interpretation of what self-employment is. Thousands of people in this State lost their benefits because the department was enforcing a program of restriction of benefits when legitimate school or training programs were involved. They have just corrected this in the last month. And there is no program in the State that indicates what we are going to do with large industries that move out of this State leaving \$5-million and \$10-million deficits in their UC funds. None of these programs and problems are addressed in this legislation.

Mr. Speaker, our people are going to be called on to pay into this fund, and that is not an unheard-of situation. A number of other States have it, and certainly I do not disagree with it. However, Mr. Speaker, there is not an adequate provision in this bill for the cutback of that particular payment when the fund becomes solvent. It merely says if you have a \$450-million underpayment, then we will question or correct that. We have a task force that is provided for in the bill, but it does not give the guidelines as to what the task force can do to correct these rules and regulations.

Mr. Speaker, the bill in general certainly answers the problem of solvency. It does not answer the problems of thousands upon thousands of our friends and neighbors who have not received proper instruction in order to maintain their benefits. This bill provides now for a waiting week that will be enforced, but nowhere in this bill does it say that during that waiting week there will be an instructional period to give that person who is on unemployment the needed information so he would not be denied the legitimate benefits he has worked for. However, Mr. Speaker, when you go on extended benefits and we are spending Federal moneys and Federal dollars for the last two grants, there is a proviso in the law that says they will call in the people and instruct them on what job search and other programs are, and yet the Pennsylvania law is very restrictive as it relates to job search. It does not give our people the leeway they need.

Just recently Governor Rockefeller of West Virginia went to Washington, D.C., and received a change for his State and his people in that area, and thousands of people will now get their benefits in West Virginia while at the same time in Pennsylvania our more restrictive regulation prohibits the payment to our people.

Mr. Speaker, I definitely believe that amendments to this law are in order. I also believe that the remarks by the United States Steelworkers, the AFL-CIO, and the Chamber of Commerce in letters that were sent to all of us should be placed on the record so there is no misunderstanding of the intent of anyone involved. For that reason, Mr. Speaker, I am going to ask for a suspension of the rules so that an amendment to this bill may be offered, and, Mr. Speaker, I so move.

POINT OF ORDER

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

Mr. COHEN. A point of order, Mr. Speaker.

The SPEAKER. What is the gentleman's point of order?

Mr. COHEN. Is it possible to amend a conference committee report?

The SPEAKER. It is not possible under the House rules, but if the House suspends its rules, then, of course, it is possible. However, the Chair did not recognize Mr. Laughlin for the purpose of suspending the rules, and he is not so recognized.

The Chair recognizes the gentleman from Mercer, Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

I am disappointed in the results of the blue-ribbon task force that studied this unemployment compensation problem and came up with the compromise that makes up this bill. I know that this group of men is interested in the future of our State, and I realize that, number one, we are finally coming out of a bad economic period and our biggest problem is that we need more employment in Pennsylvania; number two, businesses presently in our State need to be encouraged, not discouraged, to continue to operate in Pennsylvania; number three, if Pennsylvania businesses cannot compete with surrounding States because they must charge higher prices or because they cannot make a fair profit, they will leave Pennsylvania. Instead of considering these facts, we are now being asked to legislate major increases in unemployment compensation taxes that will make employers in this State pay the highest unemployment compensation taxes in the United States.

When employers in Pennsylvania are jolted with an unexpected one-time payment of 15 percent of the total unemployment compensation taxes that they have paid in 1983, how are we going to explain today's actions? When employers receive their 1984 unemployment compensation tax rate notice and it has increased over 50 percent from what they are paying in 1983, how are we going to explain today's actions? When employers have struggled through an extended bad economic period and are now seeing improvement all around them and would like to expand and add employees but unemployment compensation taxes have reduced their investment capabilities, will we regret today's actions?

I have already tried to explain to several employers that benefits which are paid under this plan, although they are some of the most generous in the United States, have been reduced in this compromise. There seems to be general admission that the requirement for a 1-week waiting period is a meaningful concession. The 5-percent reduction in benefits, by the employers that I speak to, is seen as of little value since the cost-of-living clause will only increase those benefits again in January. The one-tenth-of-1-percent payment by employees is considered to be ridiculous. One employer with five employees has already told me it would be cheaper for him to pay the tax himself than to withhold it. His employees, at an

average of \$15,000 annual wages a year, will require withholding and remitting 30 cents from each weekly pay. His tax is increased approximately 3 percent on each employee's wages that he has. Each employee has to pay one-tenth of 1 percent or one-thirtieth of that increase.

I fully understand that without this legislation, Pennsylvania will be out of compliance with Federal regulations and huge amounts of interest will be owed by the State. In addition, employers will lose the 2.7-percent credit now allowed by the Federal Government, and this could also be fatal to Pennsylvania's businesses. So I am not advocating to my colleagues that they vote against this bill, but I do think we should all be aware of what our actions today could do to Pennsylvania employers.

I do appreciate this chance to voice my concerns.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, on the question, the gentleman from Philadelphia, Mr. Fattah.

Mr. FATTAH. Mr. Speaker, I rise not to ask for concurrence or nonconcurrence in this conference committee report but for an opportunity for this House to commend the effort and the spirit of cooperation that Clifford Jones, the Chamber of Commerce, and Julius Uehlein from the union have made to fashion this agreement. I think that we should recognize that this is the kind of cooperation that is going to lead this State, hopefully, into a brighter economic future. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Petrone, on the question.

Mr. PETRONE. Thank you, Mr. Speaker.

I rise in support of the Conference Report on SB 706. I think the time is now to make an attempt to rectify the tragic situation that has occurred over the past decade in Pennsylvania.

The ideas put forth in this legislation were mutually agreed upon by both business and labor. I have been in touch with many labor people in the city of Pittsburgh. They realize they have to give a little bit and so does the businessman. But unless we institute some changes now and begin to modify this tragic situation, we are faced with a much, much more severe unemployment fund deficit in the very near future. It is not perfect; it does not answer all the questions, but it is a beginning.

I urge an affirmative vote from my colleagues on this bill. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

WELCOME

The SPEAKER. The Chair is delighted to welcome to the hall of the House, as the guests of Representative Ruth Harper from Philadelphia, her sister, Mrs. Thelma Hines, from Savannah, Georgia, and her nephew, Tom Hines, from Philadelphia.

CONSIDERATION OF SB 706 CONTINUED

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

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, members need not be in this chamber very long to recognize that the issue of unemployment compensation is probably one of the most volatile political issues that we are ever asked to address, but this year there are a couple of things that are very clear. First, as several speakers have indicated, we have a major problem that is demanding immediate attention. It is not the kind of thing that we can walk away from or put off until December or put off until next summer or even a longer period of time.

Secondly, it should be clear to anybody who has followed this issue over recent years that traditionally trying to address this problem has meant that business has been pitted against labor and vice versa. We have generally been called upon to be in the middle and take sides one against the other.

Unlike prior experiences though, this year, for the very first time in dealing with the unemployment compensation issue, representatives of labor and representatives of industry have been able to come together and agree to a package which they believe addresses in a significant way this major problem, addresses it to provide some resolution to the issue and addresses it in a timely fashion. They have brought that to us. I do not think there is anybody who pretends that this is a legislative solution or a creation of the legislature. It is in fact a creation proposed by representatives of labor and representatives of industry. They have provided us what they consider to be a compromise and a fair compromise and a solution to this immediate problem.

I do not think that there is any member of this legislature who would truly relish the opportunity or the challenge of having the responsibility to strike up the alternative to this proposal that is currently before us, but that is what we will have to do if we reject the Conference Committee Report on SB 706 today. The ball will be in our court. We will not be able to say that business and industry and labor representatives have arrived at a compromise that they brought to us. If we reject their compromise, we are going to have to come up with a better alternative, and frankly, I have yet to hear anybody on this floor suggest that there is a better alternative that they are prepared to put forward that would enjoy majority support in this legislature or which would enjoy support of representatives, again, of business and labor.

I think this is the best opportunity, the best option that we have available today. If we are going to solve this problem in a timely fashion, this is the only option that is available to us. We ought to concur in SB 706. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MARMION. Thank you, Mr. Speaker.

One of our famous astronauts landed on the moon and said, one small step for man, a giant step for mankind. Let us stop the rhetoric and vote to put Pennsylvania back on track.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Mr. Speaker, very briefly, the sole question before us is, are we going to recognize the fiscal realities that Pennsylvania faces? If the answer is yes, we will support this bill. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Now the Chair recognizes the gentleman from Beaver, Mr. Laughlin, for placing his motion.

Mr. LAUGHLIN. Mr. Speaker, in view of the wishes of the House, I certainly do not wish to hold the members here any longer than necessary. I will withdraw from the position of asking for a suspension of the rules.

Mr. Speaker, I will ask though, however, that we include upon the record the letters that I had mentioned from the Steelworkers and from the AFL-CIO, along with a copy of the letter we received from the Chamber of Commerce; also, Mr. Speaker, the fact that Mr. Uehlein and certainly the head of the chamber, Mr. Jones, have agreed that through their committee that they are forming, they will look into the complaints that I have registered here today with regard to the benefit loss to those who are legitimately entitled in this State. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

LETTERS SUBMITTED FOR THE RECORD

Mr. LAUGHLIN submitted the following letters for the Legislative Journal:

United Steelworkers of America
Legislative Committee of Pennsylvania
No. 1 Shore Drive Office Center
2001 N. Front Street - Suite 213
Harrisburg, PA 17102

July 8, 1983

TO ALL PENNSYLVANIA SENATE AND HOUSE MEMBERS

Dear Senator/Representative:

The United Steelworkers of America respectfully urges your SUPPORT for Senate Bill 706 which was passed unanimously and reported out of Conference Committee on July 7th.

This is a compromise package worked out by a joint committee comprised of labor, industry, bipartisan leadership of the General Assembly, and Administration representatives to restore solvency to the Unemployment Compensation Fund.

This solution is not perfect. Concessions were required from both sides. However, I believe most importantly, it provides for the future economic stability and well being of Pennsylvania.

Sincerely,
John H. Reck
Secretary-Treasurer
Legislative Committee
of Pennsylvania

JHR/mae

United Steelworkers of America
AFL-CIO-CLC
District Twenty
390 Ohio River Boulevard
Baden, PA 15005

Reply to:
617 Midland Avenue, Midland, PA 15059

July 8, 1983

Mr. Charles Laughlin, 16th. District
State Representative
Main Capitol Bldg.
Harrisburg, Pa. 17125

Dear Mr. Laughlin:

It is often difficult to make decisions affecting the citizens of your district especially those who are severely impacted by the present economic condition of the state and nation. You will no doubt receive criticism for your support of the U.C. changes. However, the joint recommendations made by the Pennsylvania AFL-CIO and Chamber of Commerce study committee were designed to provide a means to salvage a fast diminishing ability to sustain any U.C. program in the state and your support for those changes is to be commended. We will endeavor to advise our membership of your support and the reasons for it.

As distasteful as it may have been to you personally—and to those of us in labor who know the degree of hurt our people are feeling we find your position to be the only responsible position that could have been taken. It demonstrates leadership in the face of a very frustrating situation.

Your continued efforts on behalf of our membership will be appreciated.

Very Truly Yours,
Richard J. Fink
SUB District Director
District 20, USWA

RJF:mi

The SPEAKER. On the question, the Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, the efforts of the various members from both the private and public sector in connection with this UC compromise, I think, have been magnificent. We are in the closing day or days of this particular portion of our legislative session. This is a most serious problem. I for one am against the suspending of the rules and opening up this problem again. I think if Mr. Laughlin has honest differences with it, the time might be appropriate in September when we get back from a summer recess or whenever that recess ends to introduce legislation to accomplish his ends. But for the time being, because the budget is hung up on what happens with UC, whether we owe \$100 million, \$17 million, and all of the other reasons, I am against suspension of the rules.

The SPEAKER. The gentleman is advised that the gentleman, Mr. Laughlin, has already withdrawn his motion. He did not make it.

Mr. RYAN. I needed the practice. Thank you, Mr. Speaker.

The SPEAKER. The gentleman is known to be so practiced and eloquent that he need not practice any further.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I rise in support of SB 706. The ad hoc committee that reviewed the problems with the unemployment compensation fund and had, as members of that committee, Mr. Cohen, who is chairman of the Labor Committee in the House; and Mr. Pitts, who is the ranking minority member; and Senator Wenger and Senator Rocks in the Senate, representing their respective caucuses, I think deserve the thanks of the House for the work and diligence they put toward finding a solution to the problem.

I am not satisfied personally that this will be a final solution. I have the same reservations with the bill that is before us as attacking the symptoms and not the root cause of the problem, which is an ailing economy in Pennsylvania. I am convinced, though, that the participants in the ad hoc committee fairly represented the interests that there are in the Commonwealth with the deep concern with the unemployment problem and the unemployment compensation fund. I am likewise convinced that each of the parties representing the different interests of business and labor have gone as far as they can go in drafting a solution. That solution is before us. It is a solution that our labor members, chairmen of the committees, participated in negotiating with the interested parties. I suggest we vote in the affirmative.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, when I came on the floor, I was not aware that we might vote this today. I do not like a lot of things that I read and a lot of things that I have learned about this piece of legislation. I am not satisfied with the conference report on what it is doing to small business in a hard unemployed district. I think that it is going to cause problems for them to pay the retroactive funds. I believe that what we are doing is creating a massive paper problem for them in the way they are going to have to report the funds that are being paid. I would have liked to have seen some sort of an investigation done on the fund to find out why the people, the retailers, have to be harassed by all the paperwork that they have to do to turn the money in. There are a lot of things that could have been addressed.

I realize we really have a problem. I would like to vote "no"; I am going to vote "yes," but I can tell you now, I am not satisfied, and I plan to have amendments ready and bills ready to change this. I do not know why we could not have looked at off-track betting as a way to bring this fund back into compliance. I do not know why we could not have used small games of chance. We would not have been torturing industry, and we would not have been hurting our labor people that way, and I think we could have looked at it in a lot of different ways to try to solve this. I am just sorry I was not on there to try to help.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House adopt the report of the committee of conference?

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

YEAS—158

Afflerbach	Fattah	McVerry	Rieger
Angstadt	Fee	Mackowski	Robbins
Armstrong	Flick	Madigan	Rudy
Arty	Foster, W. W.	Maiale	Ryan
Baldwin	Foster, Jr., A.	Manderino	Saloom
Barber	Fryer	Manmiller	Salvatore
Battisto	Gallagher	Markosek	Saurman
Belfanti	Gallen	Marmion	Scheetz
Beloff	Gamble	Mayernik	Schuler
Blaum	Geist	Merry	Semmel
Book	Gladeck	Michlovic	Seventy
Bowser	Godshall	Miller	Showers
Boyes	Greenwood	Miscevich	Sirianni
Brandt	Grieco	Moehlmann	Smith, B.
Bunt	Gruitza	Morris	Smith, L. E.
Burd	Hagarty	Mowery	Snyder, D. W.
Burns	Harper	Mrkonic	Snyder, G. M.
Caltagirone	Hayes	Murphy	Spencer
Cappabianca	Herman	Nahill	Steighner
Carn	Hershey	Noye	Stuban
Cessar	Hoefel	O'Brien	Taylor, E. Z.
Cimini	Honaman	O'Donnell	Trello
Clymer	Hutchinson	Olasz	Truman
Cohen	Itkin	Oliver	Van Horne
Colafella	Jackson	Perzel	Vroon
Cordisco	Johnson	Peterson	Wachob
Cornell	Kosinski	Petrarca	Wambach
Cowell	Kukovich	Petrone	Wargo
Coy	Lashinger	Phillips	Wass
Deluca	Laughlin	Piccola	Weston
DeVerter	Lehr	Pievsky	Wiggins
Davies	Letterman	Pistella	Williams
Dawida	Levi	Pitts	Wilson
Deal	Levin	Pott	Wogan
Dietz	Linton	Pratt	Wright, D. R.
Dininni	Lucyk	Preston	Wright, J. L.
Donatucci	McCall	Punt	Zwinkl
Dorr	McClatchy	Rappaport	
Duffy	McHale	Reber	Irvis,
Evans	McMonagle	Reinard	Speaker

NAYS—40

Alderette	Dombrowski	Kasunic	Spitz
Belardi	Durham	Kennedy	Stairs
Broujos	Fargo	Kowalyszyn	Stevens
Cawley	Fischer	Lescovitz	Stewart
Civera	Freeman	Livengood	Sweet
Clark	George	Lloyd	Swift
Cole	Gruppo	Micozzie	Taylor, F. E.
Coslett	Haluska	Richardson	Telek
DeWeese	Hasay	Rybak	Tigue
Daley	Jarolin	Serafini	Wozniak

NOT VOTING—4

Freind	Gannon	McIntyre	Wright, R. C.
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EXCUSED—1

Klingaman

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

STATE GOVERNMENT COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Oliver, who wishes to announce a meeting of the State Government Committee at the rear of the hall of the House on the declaration of the recess.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Pievsky, who wishes to announce a meeting of the Appropriations Committee at 1:30 at the rear of the hall of the House.

JUDICIARY COMMITTEE MEETING

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

Mr. RAPPAPORT. Mr. Speaker, to announce a meeting of the Judiciary Committee at 1:30 in room 401.

The SPEAKER. The Chair thanks the gentleman.

COMMITTEE MEETING POSTPONED

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

Mr. RICHARDSON. Mr. Speaker, to announce that the Urban Affairs Committee meeting scheduled for 1 o'clock is being delayed temporarily until we can get an idea of what the schedule looks like for the rest of the afternoon.

The SPEAKER. The Chair thanks the gentleman.

There is one more voting piece of business before you leave.

HB 110 RECONSIDERED

The SPEAKER. The Chair has before it a motion for reconsideration signed by the gentleman, Mr. O'Donnell, and the gentleman, Mr. Richardson, that the vote by which HB 110 was defeated on July 14, 1983, be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—193

Afflerbach	Fattah	McClatchy	Saloom
Alderette	Fee	McHale	Salvatore
Angstadt	Flick	McMonagle	Saurman
Armstrong	Foster, W. W.	McVerry	Scheetz
Baldwin	Foster, Jr., A.	Mackowski	Schuler
Barber	Freeman	Madigan	Semmel
Battisto	Fryer	Maiale	Serafini
Belardi	Gallagher	Manderino	Seventy
Belfanti	Gallen	Manmiller	Showers
Beloff	Gamble	Markosek	Sirianni
Blaum	Geist	Marmion	Smith, B.
Book	George	Mayermik	Smith, L. E.
Bowser	Gladeck	Merry	Snyder, D. W.
Boyes	Godshall	Michlovic	Snyder, G. M.
Brandt	Greenwood	Micozzie	Spencer

Broujos	Grieco	Miller	Spitz
Bunt	Gruitza	Miscevich	Stairs
Burd	Gruppo	Moehlmann	Steighner
Burns	Hagarty	Morris	Stevens
Caltagirone	Haluska	Mowery	Stewart
Cappabianca	Harper	Mrkonic	Stuban
Carn	Hasay	Murphy	Sweet
Cawley	Hayes	Nahill	Swift
Cessar	Herman	Noye	Taylor, E. Z.
Cimini	Hershey	O'Brien	Taylor, F. E.
Civera	Hoefel	O'Donnell	Telek
Clymer	Honaman	Olasz	Tigue
Cohen	Hutchinson	Oliver	Trello
Colafella	Itkin	Perzel	Truman
Coie	Jackson	Peterson	Van Horne
Cordisco	Jarolin	Petrarca	Vroon
Cornell	Johnson	Petrone	Wachob
Coslett	Kasunic	Phillips	Wambach
Cowell	Kennedy	Piccola	Wargo
Coy	Kosinski	Pievsky	Wass
Deluca	Kowalshyn	Pistella	Weston
DeVerter	Kukovich	Pitts	Wiggins
DeWeese	Lashinger	Pott	Williams
Daley	Laughlin	Pratt	Wilson
Davies	Lehr	Preston	Wogan
Dawida	Lescovitz	Punt	Wozniak
Deal	Letterman	Rappaport	Wright, D. R.
Dietz	Levi	Reber	Wright, J. L.
Dininni	Levin	Reinard	Wright, R. C.
Dorr	Linton	Richardson	Zwiki
Duffy	Livengood	Rieger	
Durham	Lloyd	Robbins	Irvis,
Evans	Lucyk	Ryan	Speaker
Fargo	McCall	Rybak	

NAYS—2

Clark Fischer

NOT VOTING—7

Arty Donatucci Gannon Rudy
Dombrowski Freind McEntyre

EXCUSED—1

Klingaman

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

On the question recurring,
Shall the bill pass finally?

BILL PLACED ON FINAL PASSAGE POSTPONED CALENDAR

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

Mr. RICHARDSON. Mr. Speaker, I move that HB 110, PN 1294, be placed on the final passage postponed calendar.

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

STATEMENT BY MR. DeWEESE

The SPEAKER. The Chair is about to recess the House, but before it does so, the gentleman, Mr. DeWeese, has asked unanimous consent to make a statement. The Chair hears no objection.

The Chair recognizes the gentleman from Greene, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, on several occasions I have corresponded with the Governor or members of his Cabinet, and I have circulated copies here in this chamber and in the Senate chamber. In the Senate chamber the clerks are quite amicable, and without hesitation or reservation, the correspondences that I forward are slipped into the mailboxes one by one. However, in this chamber our hirelings, especially—and I know these words are harsh, and I mean them to be harsh—Mr. Zubeck and his friend Beryl, over and over and over again, the people we hire, the people who work for us, disallow me from circulating my letters without going through the rigmarole of putting them in envelopes and doing all kinds of things, and yet my good colleague, Miss Sirianni, is allowed to circulate Monty Hall memos, which I have no objection to; I think this should be a free circumstance. But I want to go on record here in my 60 seconds as saying I do not believe, sir, that our staff in the Chief Clerk's Office, especially Mr. Zubeck, have any right to make us go through all this hodgepodge and rigmarole in order to communicate. It was a legitimate correspondence from me to the Governor of the Commonwealth of Pennsylvania, and he has no right to stultify my efforts. The response of the Governor is already circulating and percolating in the newsroom, and my comments have not even been circulated to my members. I want to make a strenuous objection to the way Mr. Zubeck has handled this case. Thank you.

The SPEAKER. The Chair thanks the gentleman.

REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I think it is important that the members understand the various steps that are necessary to be accomplished before we are able to conclude successfully this budget season, if you please. There are probably five pieces of legislation included in the entire package, which we would hope to address today, tonight, early tomorrow morning, and whatever is necessary to do our job. It is going to require a good deal of cooperation from the members, and that cooperation starts, of course, by having perfect attendance in the various caucuses.

In that regard, Mr. Speaker, I would ask that the Republican members on the declaration of the recess go to the caucus room so that we can explain in some detail the budget, explain in some detail the school subsidy formula which is going to be part of the budget package, the taxes that are necessarily part of the package in order to fund the spending that we are recommending, and also to take a little head count and make sure that everybody wants to participate in the exercise of democracy here today.

I believe, Mr. Speaker, that we will need 3 hours for the Republicans to caucus, and that time will stretch and be extended to the extent that our members do not attend caucus. So by not attending, you really are penalizing your fellow

members of the caucus. It is absolutely necessary that all be in attendance. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

DEMOCRATIC CAUCUS

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

Mr. ITKIN. Mr. Speaker, the Democrats will caucus at 1 p.m., which will give the members approximately 45 minutes to get lunch, and we will start immediately at 1 o'clock in caucus. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, some of the humans in our caucus thought they, too, might need some lunch, and accordingly, I would ask that our members report to the caucus room as close to 1 o'clock as possible.

The SPEAKER. The Chair thanks the gentleman.

RECESS

The SPEAKER. This House stands in recess until 3:15.

AFTER RECESS

The SPEAKER. For the edification of the members, the Chair is breaking the recess and calling the House to order solely for the purpose of taking a report from the Committee on Appropriations. It will not be necessary for either staff or members to report to the floor.

BILLS REREPORTED FROM COMMITTEE

SB 827, PN 1132 (Amended)

By Rep. PIEVSKY

An Act to further provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1983 to June 30, 1984, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983; and to appropriate the Federal Augmentation to the Executive and Judicial Departments of the Commonwealth; establishing restricted receipts accounts for the fiscal year July 1, 1983 to June 30, 1984 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983.

APPROPRIATIONS.

SB 877, PN 1137 (Amended)

By Rep. PIEVSKY

An Act making appropriations to the Treasury Department out of various funds to pay replacement checks issued in lieu of outstanding checks when presented and to adjust errors.

APPROPRIATIONS.

RECESS

The SPEAKER. The House will stand in continued recess until 3:15.

RECESS EXTENDED

The time of recess was extended until 4:15 p.m.; further extended until 5 p.m.; further extended until 5:30 p.m.; further extended until 6 p.m.; further extended until 6:30 p.m.; further extended until 7 p.m.; further extended until 7:30 p.m.; further extended until 8 p.m.; further extended until 10 p.m.

AFTER RECESS

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Speaker had promised an announcement at approximately 10 o'clock and apologizes for being 12 minutes late.

The leaders are still conferring. There is still a possibility of a vote in this session tonight.

RECESS EXTENDED

The SPEAKER. The recess is extended until 11 p.m.

The time of recess was extended until 11:15 p.m.; further extended until 11:45 p.m.; further extended until 12 p.m.; further extended until 12:15 a.m.; further extended until 12:45 a.m.

AFTER RECESS

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. I move that the rules of the House requiring that the House adjourn at 11 p.m. be suspended so that the House may continue in session.

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

The SPEAKER. We are in the Thursday, July 14, 1983, session, and the first bill which will be called up will be the general appropriation bill on third consideration, SB 827, PN 1132.

**SUPPLEMENTAL CALENDAR A
BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 827, PN 1132**, entitled:

An Act to further provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1983 to June 30, 1984, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983; and to appropriate the Federal Augmentation to the Executive and Judicial Departments of the Commonwealth; establishing restricted receipts accounts for the fiscal year July 1, 1983 to June 30, 1984 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983.

On the question,
Will the House agree to the bill on third consideration?
Mr. RYAN offered the following amendments No. A2366:

Amend Sec. 217, page 77, by inserting between lines 6 and 7
For grants to food banks to offset the cost of the purchase, storage, transportation and distribution of food commodities. It is the intent of the General Assembly that food banks give the highest priority to distributing food commodities purchased with these funds to unemployed persons and families.

State appropriation.....	8,000,000
Amend Sec. 223, page 88, by inserting between lines 21 and 22 For the Sunshine Foundation.	
State appropriation.....	75,000

On the question,
Will the House agree to the amendments?
Amendments were agreed to.

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

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

The question is, shall the bill pass finally?

**BILL PLACED ON FINAL PASSAGE
POSTPONED CALENDAR**

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. I move that SB 827, PN 1132, be placed on the final passage postponed calendar.

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

**CALENDAR CONTINUED
BILL ON CONCURRENCE IN
SENATE AMENDMENTS POSTPONED**

The clerk of the Senate, being introduced, returned the following **HB 22, PN 1574**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), providing for acceleration of the

due date for remission of tax; further providing for a change in and withholding of the annual personal income tax due; further providing for an additional tentative report and prepayment of the Public Utility Realty Tax by every public utility liable to pay tax; increasing the tax on the sale or possession of cigarettes; and making an appropriation.

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

RULES SUSPENDED

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. I move that the rules of the House be suspended so that I may offer amendment No. A2359.

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

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

Mr. RYAN offered the following amendments No. A2359:

Amend Title, page 1, line 10, by inserting after "penalties," further providing for the removal of the sales tax exclusion for cigarettes;

Amend Title, page 1, lines 15 and 16, by striking out "increasing the tax on the sale or possession of cigarettes;"

Amend Sec. 1, page 2, line 5, by striking out "SECTION" where it appears the second time and inserting

Sections 204(27) and

Amend Sec. 1, page 2, line 6, by striking out "IS" and inserting
are

Amend Sec. 1, page 2, by inserting between lines 6 and 7

Section 204. Exclusions from Tax.—The tax imposed by section 202 shall not be imposed upon

[(27) The sale at retail or use of cigarettes.]

Amend Bill, page 3, lines 29 and 30; page 4; lines 1 through 14, by striking out all of said lines on said pages and inserting

Section 302. Imposition of Tax.—(a) There is hereby imposed [an annual] a tax to be paid by resident individuals, estates or trusts at the annual rate of two and two-tenths per cent for taxable years up to and including the taxable year commencing on or after January 1, 1982, and at the annual rate of two and forty-five hundredths per cent for the taxable year commencing on or after January 1, 1983, and for the first six months of the taxable year commencing on or after January 1, 1984, and at the annual rate of two and thirty-five hundredths per cent for the second six months of the taxable year commencing on or after January 1, 1984, and for each taxable year thereafter on the privilege of receiving each of the classes of income hereinafter enumerated in section 303.

(b) There is hereby imposed [an annual] a tax to be paid by nonresident individuals, estates or trusts at the annual rate of two and two-tenths per cent for taxable years up to and including the taxable year commencing on or after January 1, 1982, and at the annual rate of two and forty-five hundredths per cent for the taxable year commencing on or after January 1, 1983, and for the first six months of the taxable year commencing on or after January 1, 1984, and at the annual rate of two and thirty-five hundredths per cent for the second six months of the taxable year commencing on or after January 1, 1984, and for each taxable year thereafter on the privilege of receiving each of the classes of

income enumerated in section 303 from sources within this Commonwealth.

Section 3. Sections 303(a)(7) and 360 of the act, added August 31, 1971 (P.L.362, No.93), are amended to read:

Section 303. Classes of Income.—(a) The classes of income referred to above are as follows:

(7) Gambling and lottery winnings other than prizes of the Pennsylvania State Lottery.

Section 360. [Repealer.—All acts or parts of acts excluding lottery or gambling winnings from a State personal income tax are repealed in so far as inconsistent herewith.] Transfer of Funds.—An amount equal to the product of the present value of prizes of the Pennsylvania State Lottery won times the rate of tax provided in section 302 shall be transferred quarterly to the General Fund from the State Lottery Fund.

Amend Sec. 3, page 4, line 15, by striking out "3" and inserting

4

Amend Sec. 3 (Sec. 1102-A), page 4, lines 29 and 30; page 5, lines 1 through 4, by striking out both of lines 29 and 30 on page 4; all of lines 1 through 3 and "(3)" in line 4, page 5 and inserting

(2)

Amend Sec. 3 (Sec. 1102-A), page 5, by inserting between lines 9 and 10

(3) On or before April 15, 1985, and every year thereafter, every public utility shall pay the remaining portion, if any, of the thirty mills tax due upon each dollar of the State taxable value of its utility realty at the end of the preceding calendar year, after accounting for any tentative tax payments made pursuant to this act.

Amend Sec. 4, page 5, lines 11 through 20, by striking out all of said lines

Amend Sec. 6, page 7, line 10, by striking out "TWICE THE INCREASE IN THE TAX RATE" and inserting
the additional rate necessary to equalize withholding over the remainder of the taxable year to account for the retroactivity of the revised annual rate

Amend Sec. 6, page 7, line 11, by inserting a comma after "ACT"

Amend Sec. 6, page 7, line 14, by striking out "AT" and inserting
after

Amend Sec. 6, page 7, line 14, by inserting after "RATE" during any period of time

Amend Sec. 7, page 7, lines 17 and 18, by striking out "increase in the cigarette tax" and inserting
sales tax on cigarettes

Amend Bill, page 7, lines 28 through 30; page 8, line 1 by striking out all said lines on said pages and inserting

Section 9. The act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, is repealed insofar as it is inconsistent with the provisions of this act.

Section 10. (a) Except as provided in the following paragraphs, this act shall take effect immediately:

(1) The amendments to sections 204 and 217 shall take effect in 15 days.

(2) The amendments to section 302 shall take effect immediately and shall be retroactive to January 1, 1983.

(b) The amendments to sections 303 and 360 shall take effect immediately and apply to prizes of the Pennsylvania State Lottery which are won on or after the date of final enactment of this act.

On the question,

Will the House agree to the amendments?

Mr. RYAN. Mr. Speaker, may I explain this amendment?

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, the amendment I am offering has not been reproduced. It does what we in caucus agreed to, which is, if I may— This is the tax bill. Section 302 has the provisions in it for the income tax raise and decrease as discussed in caucus; has the provision in it for the taxation of lottery gambling winnings by being taken out of the lottery prior to distribution; has the corrective language to PURTA (Public Utility Realty Tax Act). We have eliminated the capital stock tax, as agreed, and placed the 6-percent sales tax on cigarettes rather than the 5 cents a pack, in accordance with the understanding of the Republican Caucus as we met earlier today. I offer the following amendment.

On the question recurring,

Will the House agree to the amendments?

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

Mr. WILSON. Mr. Speaker, is this a voice vote?

The SPEAKER. If there is no objection. If the gentleman objects, we will go through the—

Mr. WILSON. I would like to see a roll-call vote.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—102

Afflerbach	Foster, W. W.	McMonagle	Ryan
Angstadt	Foster, Jr., A.	McVerry	Salvatore
Armstrong	Freind	Mackowski	Saurman
Arty	Gallen	Madigan	Scheetz
Battisto	Gannon	Manmiller	Schuler
Beloff	Geist	Marmion	Semmel
Bowser	Gladeck	Merry	Serafini
Boyes	Godshall	Micozzie	Sirianni
Bunt	Greenwood	Miller	Smith, B.
Burd	Grieco	Moehlmann	Smith, L. E.
Burns	Gruppo	Mowery	Snyder, D. W.
Cappabianca	Hagarty	Nahill	Snyder, G. M.
Cessar	Hasay	Noye	Spencer
Cimini	Hayes	Perzel	Spitz
Civera	Herman	Peterson	Taylor, E. Z.
Clymer	Hershey	Phillips	Telek
Cordisco	Honaman	Piccola	Truman
Cornell	Jackson	Pievsky	Vroon
Coslett	Johnson	Pitts	Wargo
DeVerter	Kennedy	Pott	Wass
Davies	Lashingier	Punt	Weston
Dietz	Lehr	Rappaport	Williams
Dininni	Levi	Reber	Wogan
Dombrowski	Levin	Reinard	
Evans	Linton	Rieger	Irvis,
Flick	McClatchy	Robbins	Speaker

NAYS—85

Alderette	Duffy	Letterman	Rybak
Baldwin	Durham	Livengood	Saloom
Barber	Fargo	Lloyd	Seventy
Belardi	Fattah	Lucyk	Showers
Belfanti	Fee	McCall	Stairs
Blaum	Fischer	McHale	Steighner
Book	Freeman	Markosek	Stewart
Broujos	Fryer	Michlovic	Stuban

Caltagirone	Gamble	Miscevich	Sweet
Cawley	George	Morris	Swift
Clark	Gruitza	Mrkonic	Taylor, F. E.
Cohen	Haluska	Murphy	Tigue
Colafella	Hoeffel	O'Brien	Trello
Cole	Hutchinson	Olasz	Van Horne
Cowell	Jarolin	Petrarca	Wachob
Coy	Kasunic	Petrone	Wambach
Deluca	Kosinski	Pistella	Wiggins
DeWeese	Kowalshyn	Pratt	Wozniak
Daley	Kukovich	Preston	Wright, D. R.
Dawida	Laughlin	Richardson	Wright, R. C.
Deal	Lescovitz	Rudy	Zwinkl
Donatucci			

NOT VOTING—15

Brandt	Harper	Manderino	Stevens
Carn	Itkin	Mayernik	Wilson
Dorr	McIntyre	O'Donnell	Wright, J. L.
Gallagher	Maiale	Oliver	

EXCUSED—1

Klingaman

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

SUPPLEMENTAL CALENDAR A CONTINUED

CONSIDERATION OF SB 827 RESUMED

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. MANDERINO, the House resumed consideration on final passage of SB 827, PN 1132, entitled:

An Act to further provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1983 to June 30, 1984, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983; and to appropriate the Federal Augmentation to the Executive and Judicial Departments of the Commonwealth; establishing restricted receipts accounts for the fiscal year July 1, 1983 to June 30, 1984 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983.

On the question recurring,

Shall the bill pass finally?

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

Mr. SALOOM. Mr. Speaker, I rise to express my bitter disappointment at the travesty that we have been witnessing in this Commonwealth of Pennsylvania for the past 2 weeks.

For the past 4 1/2 years, this State has been ruled—and I use the word advisedly—ruled by an administration that has failed miserably to fulfill its promise to improve the economy of this Commonwealth, an administration that has been content to permit the loss of more than a half million jobs without making an honest effort to stem the tide of unemployment.

And the stagnation continues. While Governor Thornburgh and those who advise him in the executive offices must be chuckling at what the legislative branch of government is

about to do, the sad fact remains that little or nothing is being done to help the underprivileged and the unemployed, and those who felt that there was a glimmer of hope when we submitted a budget that offered job training for displaced employees, paid positions for the disadvantaged young through a conservation corps, money for emergency food supplies, money to provide medical assistance for families of the unemployed, money to prevent mortgage foreclosures for unemployed homeowners - those people today are being left out in the cold as usual as this House addresses the problem of funding the deficit of a Governor who had to become a lame duck before the truth about his reckless spending became public. As a result, those who have been out of work for months or even years while this administration kept reassuring them that things were getting better by issuing Pollyanna press releases that were every bit as bloated as the Governor's spending plans and personal ego will still be out of work, and the administration will keep on telling them that things are getting better.

I want to assure you, my colleagues in the House of Representatives, that as distasteful as it might have been, I was prepared to cast my vote for new taxes, had I been assured that this Commonwealth was prepared to take at least one step forward in its desire to recognize the plight of the people who have been cast aside and ignored for too long.

This budget we address today is not our budget; it is not a compromise that has been worked out by the leaders of this House and Senate; rather, it is a spending plan put together by the Governor and the Republican leadership that is being literally crammed down the throats of well-meaning Democrats and Republicans alike who recognize the sham for what it is but who can no longer tolerate the delays that have been causing hardships to so many people.

Let the word go out all over this Commonwealth that the new revenues that will be voted on in this House tonight are being raised to wipe out the red ink of the Thornburgh administration and that hundreds of millions of dollars that will flow into the State Treasury during the new fiscal year will not create a single new job, will not soothe the desperation of even one destitute family, and will not drop our horrendous unemployment rate even by one-tenth of 1 percent.

I am convinced that the adoption of this budget and the new taxes will cause the people of Pennsylvania to ask for full accountability of the Thornburgh administration, which must accept full responsibility for both the fiscal mess and the continued stagnation that we are certain to experience for at least another 12 months.

Mr. Speaker, I am urging a "no" vote on the adoption of this budget. Thank you.

The SPEAKER. The Chair thanks the gentleman.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Dombrowski, who wishes to submit his remarks for the record.

Mr. DOMBROWSKI submitted the following remarks for the Legislative Journal:

Mr. Speaker, it is with mixed emotions that I will cast my vote on this legislation. This supplemental budget will restore the cuts made by the Governor on July 11. I know this budget is necessary for the Commonwealth to operate for the 1983-84 fiscal year, but in good conscience, I cannot vote for the bill.

My greatest concern is that this bill contains the transfer of \$220 million from the Lottery Fund to the General Fund. Without legislation to authorize this transfer of funds, I am not sure we are doing the proper thing.

I will vote for taxes to fund the supplemental budget at the proper time.

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

Mr. MURPHY. Thank you, Mr. Speaker. I will be very brief.

At the turn of the century there was a large carriage manufacturer in Pennsylvania who was interviewed. He was asked what the effect of the automobile would be on his business. He said it would never catch on and he would continue to do business as usual. Well, that is what is about to take place tonight in Pennsylvania, business as usual. That is the slogan of this budget as we raise, as we have done in past years, the school subsidy and county and transit authority expenses. As for the carriage manufacturer, you know what happened to him. The rest of the country will not wait for us to catch up. The national economy is improving, yet Pennsylvania continues to stagnate 3 or 4 points behind in the unemployment rate with the national economy. One point equals 60,000 people unemployed.

You have heard about the misery and the problems in Pennsylvania, and you have heard about that from whom? From the Governor and the House leadership. You have heard that the most pressing and urgent problem in Pennsylvania is to put people back to work. And so, today, how do we address that problem? We address it by raising the school subsidy.

Frankly, in this intensely competitive world our inability to put Pennsylvania in a position to successfully compete for jobs and for the businesses of the future is nothing short of irresponsible. At least 33 States have begun major economic development efforts. Some will argue that States cannot have a major impact on their economy. One only has to look at Massachusetts and North Carolina for two to show that that is nothing but a myth. If we are to successfully compete, we must provide the capital, the technology, and the atmosphere for young entrepreneurs to succeed in this State.

The Democratic Caucus suggested an economic development and relief plan. It was not perfect, but at least it brought the issue to the legislature and should have been the impetus to begin an economic strategy for the State. Instead, we ignore that and we turn to the old way of doing business, an irresponsible way in a time of change. None of you for sure will lose any votes because you have not voted for economic development this year, but 5 years from now when you hear from your constituents' children that they are going to Massachusetts or Texas or North Carolina for a good job, remem-

ber your vote tonight. I urge you to show some leadership to our leadership and vote against this budget. 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—130

Afflerbach	Flick	Livengood	Rappaport
Armstrong	Foster, W. W.	Lloyd	Reber
Arty	Foster, Jr., A.	McClatchy	Reinard
Belfanti	Freeman	McHale	Rieger
Bowser	Freind	McMonagle	Robbins
Boyes	Gallagher	McVerry	Ryan
Brandt	Gallen	Mackowski	Saurman
Broujos	Gannon	Madigan	Scheetz
Bunt	Geist	Manderino	Schuler
Burd	Gladeck	Manmiller	Semmel
Burns	Godshall	Markosek	Sirianni
Cessar	Greenwood	Marmion	Smith, B.
Cimini	Grieco	Mayernik	Smith, L. E.
Civera	Gruitza	Merry	Snyder, D. W.
Clymer	Gruppo	Michlovic	Snyder, G. M.
Cohen	Hagarty	Micozzie	Spencer
Cole	Haluska	Miller	Stewart
Cordisco	Hasay	Moehlmann	Stuban
Cornell	Hayes	Mowery	Taylor, E. Z.
Coslett	Herman	Nahill	Telek
Coy	Hershey	Noye	Truman
Deluca	Honaman	O'Donnell	Van Horne
DeVerter	Hutchinson	Oliver	Vroon
Davies	Itkin	Peterson	Wambach
Deal	Jackson	Petrone	Wargo
Dietz	Jarolin	Phillips	Wass
Dininni	Johnson	Piccola	Williams
Donatucci	Kennedy	Pievsky	Wozniak
Dorr	Lashinger	Pistella	Wright, D. R.
Durham	Lehr	Pitts	Zwikl
Evans	Levi	Pott	
Fargo	Levin	Preston	Irvis,
Fattah	Linton	Punt	Speaker

NAYS—66

Alderette	Dawida	Miscevich	Showers
Angstadt	Dombrowski	Morris	Spitz
Baldwin	Duffy	Mrkonic	Stairs
Barber	Fee	Murphy	Steighner
Battisto	Fischer	O'Brien	Sweet
Belardi	Fryer	Olasz	Swift
Blaum	George	Perzei	Taylor, F. E.
Book	Hoeffel	Petrarca	Tigue
Caltagirone	Kasunic	Pratt	Trello
Cappabianca	Kosinski	Richardson	Wachob
Carn	Kowalshyn	Rudy	Weston
Cawley	Kukovich	Rybak	Wiggins
Clark	Laughlin	Saloom	Wilson
Colafiglia	Lescovitz	Salvatore	Wogan
Cowell	Letterman	Serafini	Wright, J. L.
DeWeese	Lucy	Seventy	Wright, R. C.
Daley	McCall		

NOT VOTING—6

Beloff	Harper	Maiale	Stevens
Gamble	McIntyre		

EXCUSED—1

Klingaman

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

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

The SPEAKER. For what purpose does the gentleman from Westmoreland, Mr. Hutchinson, rise?

Mr. HUTCHINSON. A point of personal privilege.

I would like to know when the Senate is coming back to vote on this bill.

The SPEAKER. The Chair is not privy to the Senate's plans, but the Chair has been informed that if the House passes the bill, the Senate will be in session.

Mr. HUTCHINSON. Thank you. Tomorrow or Monday?

The SPEAKER. The Senate did not tell the Chair that.

LEAVE OF ABSENCE GRANTED

The SPEAKER. Without objection, the Chair now returns to leaves of absence, and without objection, the gentleman from Luzerne, Mr. STEVENS, will be granted a leave of absence for this evening's session. The Chair hears no objection.

CALENDAR CONTINUED

CONSIDERATION OF HB 22 RESUMED

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

The SPEAKER. The Chair recognizes the minority leader.
Mr. RYAN. Mr. Speaker, I request that the House do concur in the amendments presented by the Senate.

The SPEAKER. The question is, shall the House concur in HB 22, PN 1574, as amended by the Senate and as amended by the House? Those in favor of concurring will vote "aye"; those opposed will vote "no."

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

(Members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote.
The Chair recognizes the gentleman from Philadelphia, Mr. Rappaport.

Mr. RAPPAPORT. Mr. Speaker, is the Chair going to take another vote?

The SPEAKER. The Chair intends to take another vote.

Mr. RAPPAPORT. Could the Chair please instruct the pages that they are not to get near any buttons during this kind of a vote?

The SPEAKER. They are not to get near the members' switches on any vote.

Mr. RAPPAPORT. Might I ask, Mr. Speaker, that staff be removed from the aisles and all nonmembers be removed from these aisles? It is a very crucial vote, and we do not know who is where.

The SPEAKER. The members will please take their seats, and the staff will remove themselves from the center aisles.

REMARKS ON VOTE

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

Mr. GAMBLE. Mr. Speaker, I was out of my seat when SB 827 was voted. I would have voted in the negative.

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

CONSIDERATION OF HB 22 CONTINUED

On the question recurring,

Will the House concur in Senate amendments as amended?

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

YEAS—103

Afflerbach	Foster, Jr., A.	McVerry	Richardson
Armstrong	Freind	Mackowski	Robbins
Arty	Gallagher	Madigan	Ryan
Bowser	Gallen	Manderino	Salvatore
Boyes	Gannon	Manmiller	Saurman
Brandt	Geist	Marmion	Scheetz
Bunt	Gladeck	Merry	Schuler
Burd	Godshall	Micozzie	Semmel
Burns	Greenwood	Miller	Sirianni
Cappabianca	Grieco	Moehlmann	Smith, B.
Cessar	Gruppo	Mowery	Smith, L. E.
Cimini	Hagarty	Nahill	Smith, D. W.
Civera	Hasay	Noye	Snyder, G. M.
Clymer	Hayes	O'Donnell	Spencer
Cornell	Hershey	Oliver	Taylor, E. Z.
Coslett	Honaman	Peterson	Telek
DeVerter	Hutchinson	Phillips	Vroon
Davies	Itkin	Piccola	Wargo
Deal	Jackson	Pievsky	Wass
Dietz	Johnson	Pistella	Williams
Dininni	Kennedy	Pitts	Wilson
Dombrowski	Lashinger	Pott	Wright, J. L.
Dorr	Lehr	Punt	Zwikel
Evans	Levi	Rappaport	
Fargo	Levin	Reber	Irvis,
Flick	McClatchy	Reinard	Speaker
Foster, W. W.			

NAYS—93

Alderette	Donatucci	Livengood	Saloom
Angstadt	Duffy	Lloyd	Serafini
Baldwin	Durham	Lucyk	Seventy
Barber	Fattah	McCall	Showers
Battisto	Fee	McHale	Spitz
Belardi	Fischer	McMonagle	Stairs
Belfanti	Freeman	Markosek	Steighner
Blaum	Fryer	Mayermik	Stuban
Book	Gamble	Michlovic	Sweet
Broujos	George	Miscevich	Swift
Caltagirone	Gruitza	Morris	Taylor, F. E.
Carn	Haluska	Mrkoncic	Tigue
Cawley	Herman	Murphy	Trello
Clark	Hoeffel	O'Brien	Truman
Cohen	Jarolin	Olasz	Van Horne
Colafella	Kasunic	Perzel	Wachob
Cole	Kosinski	Petrarca	Wambach
Cordisco	Kowalyszyn	Petrone	Weston
Cowell	Kukovich	Pratt	Wiggins
Coy	Laughlin	Preston	Wogan
Deluca	Lescovitz	Rieger	Wozniak

DeWeese	Letterman	Rudy	Wright, D. R.
Daley	Linton	Rybak	Wright, R. C.
Dawida			

NOT VOTING—5

Beloff	McIntyre	Maiale	Stewart
Harper			

EXCUSED—2

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

Ordered, That the clerk inform the Senate accordingly.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. WARGO. Mr. Speaker, I would like to submit my remarks for the record.

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

Mr. WARGO submitted the following remarks for the Legislative Journal:

We have been here a long time today. We have been in Harrisburg a long time this week and this month and this year.

We began the year with high hopes that we could do something big, something real, to help reduce the double-digit unemployment that has hit our State. We hoped that we could do something new and to help encourage industrial development, putting in some real dollars with real impact.

We on the Democratic side of the aisle worked very hard on this program, and we have some encouragement and support, I have to admit, from a number of thinking Republicans. But one party cannot alone build a new policy for the State. We have a Governor who has been disinterested in the problems of Pennsylvania, so the budget debate has dragged on far longer than it should have if we would have had true cooperation from the Governor's Office.

More than 200,000 needy families did without support checks for a time this month. Thousands of State employees have had their paychecks delayed. PennDOT employees are still waiting to be paid, but they have stayed on the job as concerned citizens and public servants.

The time has come when I, as a leader of this legislature, must say that the present budget debate has reached the point of diminishing returns.

We have seen the Governor slash more than a billion dollars, including a massive economic development program, from the budget. But the battle which would be necessary to get all of that money restored would be at the cost of far too many victims.

There is no sense in penalizing the needy of our State. There is no sense in penalizing the PennDOT workers. There is no sense in penalizing other State employees, and there is certainly no sense in penalizing the schoolchildren of our State. That is why I will be joining with other leaders of both parties in the House tonight to cast my vote for HB 22.

For Lackawanna County alone, there are 2,400,000 good reasons; that is the amount of additional money which HB 22 will provide for schools.

I will cast my vote for HB 22 tonight for the more than 25,000 senior citizens in Lackawanna County because the compromise reached by Democratic and Republican leaders includes a plan to

reimburse needy seniors for at least part of the costs of drugs, eyeglasses, and hearing aids out of lottery funds. I have pushed for this program for years, and now, with this vote, I can help make this drug copay plan a reality.

I cast this vote today as a responsible leader of the legislature who is truly concerned about the people of this State.

REMARKS ON VOTES

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

Mr. DORR. Mr. Speaker, my switch failed to operate on the Ryan amendment to HB 22. I did vote in the affirmative.

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

The Chair recognizes the gentleman from Lancaster, Mr. Brandt.

Mr. BRANDT. Mr. Speaker, likewise with Mr. Dorr's request.

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

The Chair recognizes the gentleman from Delaware, Mr. Gannon.

Mr. GANNON. Mr. Speaker, I was out of my seat for several votes. On SB 706, had I been in my seat, I would have voted in the affirmative; on SB 873, had I been in my seat, I would have voted in the affirmative; and on SB 874, had I been in my seat, I would have voted in the affirmative. I was taking care of a constituent problem.

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

STATEMENT BY MR. HUTCHINSON

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

Mr. HUTCHINSON. Mr. Speaker, can I have unanimous consent to say a few words?

The SPEAKER. Without objection, the Chair recognizes the gentleman.

Mr. HUTCHINSON. I want the whole State of Pennsylvania and the whole world to know that the Democratic Party put 18 responsible votes up to pass this bill tonight, and there were about 14 sitting over there. We might have the responsibility, but we do not have the authority, and I think it is a darn shame that we did not have all the Republican votes voting. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY MR. DeWEESE

The SPEAKER. Does the gentleman from Greene, Mr. DeWeese, wish to ask for unanimous consent at this time? We have a hiatus. We are awaiting the leader.

Without objection, the Chair grants unanimous consent to the gentleman, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, earlier today I went to the microphone and asked that words be put upon the record,

words that I felt were appropriate, words that had some punch, I agree, but nevertheless comments that I wanted to share.

I was informed moments ago by the Parliamentarian that the words that I offered for the record had been deleted from the record. I had not been made aware of this, Mr. Speaker, and during my 8 years plus in this room I have not had such an affront. If this is the case, and it has been corroborated by innumerable sources deep in the bowels of the Chief Clerk's Office, then, sir, my offense is illimitable, and I would like some explication. Thank you.

The SPEAKER. The Chair bears the responsibility for ordering the gentleman's remarks stricken from the record. The Chair considered them, at the time, intemperate and thought the gentleman, when he calmed down, would probably regret having said them. If, on the other hand, the Chair is mistaken, and now that the gentleman has returned to his normal, calm self, if the gentleman insists that the record carry those words with it, the Chair will instruct that the record so carry. Is that the gentleman's wish?

Mr. DeWEESE. I politely insist. Thank you.

The SPEAKER. The Chair instructs the clerk to reinsert into the record the remarks of the gentleman, Mr. DeWeese.

Mr. DeWEESE. Mr. Speaker, just one further statement.

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

Mr. DeWEESE. Several members have asked me if something can be done in the future by the Speaker's office so that Republicans and Democrats alike, when we wish to share correspondences that are going to Cabinet members, that are going to the Governor, and going to other people throughout the Commonwealth that we consider pertinent, could have them put in the mailboxes without the stuffing of 203 envelopes, without the wasting of paper and manpower, et cetera, and I would like to respectfully ask that you move in this direction. Thank you.

The SPEAKER. The Chair has already taken that upon himself to instruct the Chief Clerk that in this case the gentleman's complaint was well grounded. There was no reason why the gentleman should have been discriminated against, and quite seriously, the Chair has instructed the Chief Clerk's people that as long as a request is a reasonable one—and it was certainly reasonable for the gentleman to ask that the unenveloped releases be circulated; it was not an unreasonable request—that the request should be granted. If any other member, whether it be on the Republican or the Democratic side, has a complaint like that, let the Chair know about it and the Chair will instruct the Chief Clerk to correct it.

STATEMENTS

The SPEAKER. The Chair now recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, in order to break the impasse that has seen payless paydays and hardships to innocent bystanders, members of the House Democratic Caucus

have just assisted with votes in the passage of the budget bill and the tax bill. It is important, we think, to point out that this gesture of cooperation, we feel, is there and has been there with too little realized for the people of Pennsylvania. The primary benefit is that the deadlock has been broken and government can function unimpeded, but to say that government functions unimpeded does not mean that it functions well.

While there has been some small measure of relief provided through the new school subsidy formula that is part of the package that just passed and while there are some small items of particular importance to our members, including the added food bank program at \$8 million, the overall meaning of what we have done today sends a message to the people of Pennsylvania with which we profoundly disagree.

The supplemental budget bill rectified only a few of the Governor's drastic cuts. There are far too many critical needs that will go unresponded to, and perhaps the most significant of these issues is the economic development of our State. This is the issue which speaks to jobs for our unemployed, jobs for the young men and women now in the high schools and colleges, jobs that will provide the economic base upon which this government depends. This is the issue that addresses our 12.6 unemployment rate, a rate which represents some 700,000 people out of work and looking for work. This is the issue which addresses the fact that while the national unemployment rate has fallen below 10 percent in the last few months, our jobless rate in Pennsylvania is declining far less steadily and appears to be stalled.

On Monday night, when the Governor's blue pen slashed through the budget bill on his desk, he cut programs that would have directed investment value of nearly \$200 million in economic development. He cut to zero appropriations of \$10 million for small business incubators. He cut \$50 million for job retraining programs. He cut \$20 million for a development investment program. He cut \$7.3 million in State-guaranteed funds to leverage \$100 million of pension fund investments. He cut \$5 million out of the budget for a small community facilities program. He cut \$2 million to finance industrial coal conversion. He cut \$1 million for coal research and demonstration projects. He cut \$750,000 for a supply-and-demand data base for Pennsylvania's work force, and he cut \$1 million for a distressed communities evaluation team to assist and take over failing plants.

All of these programs were scaled-down versions of an industrial development concept originally researched and offered by the Democratic Caucus and presented in the PennPRIDE (Pennsylvania Program for Recovery, Investment, Development, and Education) program. The House Democratic Caucus offered these programs because we in Pennsylvania most desperately need them. We need them because of our continuing high unemployment rate and because so many of our jobs are in the declining industries in the manufacturing sector. Most of all, the House Democrats offered our economic package because the Governor of this Commonwealth has failed in his responsibilities to show leadership in this area.

Mr. Speaker, last February Governor Thornburgh offered a budget with a total of \$11 million in new initiatives in economic development. Today we stand here ready to go forward in the face of all of our problems and difficulties with that paltry and pathetic amount as a token we hold out to our business community and to our unemployed workers and to those whom we would invite to Pennsylvania to create new businesses.

Even before Governor Thornburgh actually cut all of the Democratic PennPRIDE economic development programs from this year's budget, Governor Thornburgh signaled his intention to do so in various statements and releases to the press. In all of these comments, the Governor shows himself to be supremely certain that the path he has chosen is the correct one. There is no room for doubt in his mind. The PennPRIDE economic development programs were given thoughtful analysis and strong support from many quarters in the Commonwealth, and this support is based on the view shared by academics and businessmen alike that Pennsylvania faces a serious shortfall in new job growth, perhaps as much as 500,000 jobs.

Mr. Speaker, I repeat, Governor Thornburgh is supremely confident that the marginal new spending for economic development in this budget is all that is needed. In defending the budget deficits incurred by his administration, Governor Thornburgh has taken great pains to point out that more than 40 other States have incurred deficits this year and that all of his problems were owing to the unpredictable severity of the recession. But it must be pointed out that while many of these States have tackled their deficit problems, they have Governors with foresight and initiative to initiate significant economic development programs.

In the State of Michigan, which has an industrial character very similar to ours in Pennsylvania and a population that ranks eighth among the States, compared to our ranking fourth, Governor Blanchard has proposed a 12 1/2-percent increase in the State's budget that has wiped out a \$900-million deficit but also includes funding for many new economic development programs. Here are some of the things that have been proposed and recently put into place in Michigan: an \$804-million public service and construction jobs program; a \$75-million youth jobs program; a \$60-million venture capital investment for small businesses with newly created public pension investment programs.

The small State of Vermont, Mr. Speaker, ranking 48th among the States with a population that is 4 percent of Pennsylvania's, has inaugurated the Vermont futures jobs program, which will provide 18 weeks of public service jobs for more than 1,000 unemployed workers. This is a \$5.3-million program, which represents 1 1/2 percent of Vermont's total budget. In Pennsylvania, a similar program in percentage terms would call for \$120 million in expenditures for public service jobs.

The State of Minnesota has passed a \$70-million jobs retraining bill. The State of West Virginia has passed a \$20-million jobs retraining bill aimed at the unemployed, and the

small State of Idaho, which is ranked 41st among all States, recently established a pension fund investment program for home and business mortgages, and they estimate the program will create 10,000 new jobs in that State.

One of the key features, Mr. Speaker, of the PennPRIDE program proposed by our caucus was the coordination of all State economic development spending through a central economic development board that would have the authority to establish a State economic development strategy. While Governor Thornburgh slashed the appropriations to provide for administrative costs of this proposed agency in Pennsylvania, the State of Missouri has recently established an economic development committee to coordinate all new and existing business finance programs.

In Illinois, which ranks fifth among the States, they are moving forward with new initiatives for low-interest, long-term loans for small business targeted to distressed communities. They have created a growth investment fund program to provide loans to entrepreneurs who are unable to obtain conventional loans. And Illinois also proposes to create special centers to provide assistance to small business. Mr. Speaker, Illinois offers an interesting contrast to Pennsylvania, because the bulk of their economic development programs were proposed by Democratic leaders in the General Assembly who assisted their Republican Governor in raising taxes to wipe out a deficit, and the Governor cooperated with those Democratic leaders in accepting the economic development initiatives.

The significant economic development initiatives of these seven States, both large and small, are a dramatic contrast to the paltry initiatives proposed by Governor Thornburgh. These are States with problems far less severe than ours in both size and scale, and yet they are States with Governors who are prepared to lead them into the future.

Where is Pennsylvania going? Where does Dick Thornburgh propose to take us? It looks like we are going to fall further and further behind. The Governor has vetoed PennPRIDE, and the Governor has cut all new funding for economic development. We in the Democratic Caucus and those on the other side of the aisle, both in this House and in the Senate, who are sympathetic to some of the initiatives have lost this battle, but it is only a battle, and there are many more days ahead of us in which we will be able to continue to fight for our cause. We have fought the good fight for our beliefs and for those whom we represent. There is no dishonor in defeat; there is only dishonor in not trying to improve. We are confident in the economic analysis that formed the basis of PennPRIDE that to have to do something, we must in Pennsylvania develop the jobs that our State needs in the future, or we will continue to fall further and further behind.

The need to create new jobs is a reality that cannot be erased by the temporary, partisan victory of the Governor achieved through his veto. The concepts we put forth in PennPRIDE are still valid, and they are still needed. There is a considerable constituency for new initiatives in economic development, and we in the majority here in the House give our

promise that in the weeks ahead we will continue to work toward the goal of economic revitalization in the State of Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority leader.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, I did not have time today to prepare remarks to give on the conclusion of the passage of the budget and tax package. I did not have time because I never knew whether or not I would need the opportunity to make those remarks the way things went off and on throughout the day.

I listened halfheartedly to Mr. Manderino's remarks—and I say that not because I was not interested but rather because I was distracted. I listened to the remarks of Amos Hutchinson, and I thought they were good. They were good because he pointed out that there were indeed 20, not 18, responsible Democrats who voted for the tax package, and, Amos, you are exactly right. What you and those other 19 members did was an act that had all the characteristics of true, responsible legislators.

This has been a long day, and I am not going to turn it into a long morning, if I can avoid it. I listened to the remarks of Mr. Saloom, and I almost got up after he concluded his remarks, and I thought to myself and I even told Mr. Manderino that I was about to say something but I was afraid that I would be imprudent in some of my statements in replying to the remarks of a man who has never cast a tough vote in his tenure here, whether he be a Republican or a Democrat. And I like him as an individual - Gene Saloom. I liked him as a Republican and I like him as a Democrat. In fact, I liked him better as a Republican, because he was around for organization days. But there is something in what Amos Hutchinson said. It is a tough vote to vote for taxes. It is not the kind of thing that any one of us here wants to do, looks forward to doing, or is necessarily thrilled with when they have done it. I have cast tough tax votes. I voted for the income tax as a Republican, when it was primarily the responsibility of the Democratic Party to pass that vote, and I did not like that one little bit, and like Amos, I felt at that time it was the responsible thing to do. Our members did not want to vote on taxes; no one does, but it was the only thing to do.

I told the majority leader any number of times over the past months since the introduction of PennPRIDE that portions of that program dealing with economic development I approved of; I could embrace. I said it on the floor. The package as an entirety, however, as introduced for some \$650 million or \$660 million, we could not accept. We could not accept it not because it was necessarily bad or portions of it were bad—and about half of it I disagreed with, because I do not believe they were economic development—but because we did not feel that the taxpayers of Pennsylvania could afford at this time those additional taxes necessary to finance them. The other side of the argument, of course, would be, can we afford not to finance programs such as that? I do not know the answer.

I think what we did here tonight is something that we can be proud of. I believe that we have taken the situation here in

Pennsylvania—which suffered along with 49 States here in the United States from the economic developments of the past year or 2 years, suffered financially—we took this situation that was not favorable to this or many other States, and with the facts as they were, through no fault of this legislature and through no fault of the Governor or the administration, we took these facts and I think tonight turned out something that we can be proud of. We have permitted this State to continue. We have made provisions for our people to get paid, including ourselves. We have addressed the major issues that face this Commonwealth, perhaps not to the extent that all of us would like to face them and fund them, but we have done the best under the circumstances, keeping in mind at all times what we believe to be the best interests of the citizens of Pennsylvania, and that is the best possible government at the least possible price, and I believe we did that tonight.

I want to thank not only the 20 Democrats who joined on the tax vote, but I would like to publicly thank the leadership of the other side as well as our leadership and the Speaker of the House for putting up with me, and I would hope that it is reciprocal and you appreciate what I went through. But all of us, both sides, had a difficult 2- or 3-week period. Too seldom are the staff people thanked. I think particularly of Jere Strittmatter and Mike Rosenstein from our side; Mike Hershock and a number of others—I am not familiar with all of their names, although I have seen them a dozen times in the past 3 weeks—Dick Willey, for the work they did, and no one appreciates it. Last Thursday night those people, together with Secretary Bittenbender and a member of his staff, stayed here until 5 o'clock in the morning working on our mutual problem. The press does not write it up. They should be thanked. And probably as much as anyone, the members should be thanked. I remember prior to being in leadership what it was like being called back in, waiting around the whole day, the whole night, to be told, come on in tomorrow. That probably is more tedious, more irritating than anything Mr. Manderino and I do to one another in the course of our many "discussions." It was a thankless job you had but a necessary one, and I sincerely thank all of the members for putting up with us as I thank all of the staff, and of course, our wonderful court reporters. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, very briefly. Mr. Saloom needs no defense by the majority leader, but Mr. Saloom has campaigned in his district, has gone to seminars in his district, and he has carried PennPRIDE all through his district, and he has been there to cooperate not only to wipe out the worst deficit that this Commonwealth has ever seen and the need for new taxes because of the deceitful way in which budgets have been presented for 3 years, but he stood ready to vote for the full package of PennPRIDE and the taxes necessary to fund it. He stands, Mr. Speaker, as many of the negative votes stand on this side, negative because there are not State economic initiative programs in this budget.

Mr. Speaker, we will continue to work toward those economic development programs. I predict that many on the

other side of the aisle, in both this chamber and the other chamber, will, before the end of this session, join with us to enact many of the programs that we proposed.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Westmoreland, Mr. Saloom.

Mr. SALOOM. Thank you, Mr. Speaker.

I would like to thank the majority leader for his remarks and I appreciate what he has done or tried to do for the people of Pennsylvania. The minority leader probably forgets that I have voted for a tax in the past as a Republican, and I have voted for a tax as a Democrat in the past. The record will show and I can remember the votes that I have put up.

But, Mr. Speaker, this budget that we had passed tonight and the tax that was concocted by the minority party and the Governor of this State does nothing for the underprivileged and the unemployed. This budget has slammed the door in their face and has left them out in the cold. I was willing, as I had said in my remarks, to go along with the PennPRIDE program. And I would like to say this, Mr. Speaker: I have never put up a vote; I was not a puppet for any leader of this political organization here in this Commonwealth. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Luzerne, Mr. Tigue.

Mr. TIGUE. Thank you, Mr. Speaker.

I know the hour is late and I know everyone is anxious to get out of here; no more than I, because I have a drive ahead of me. I have been standing here listening for the past 15, 20 minutes or so to the posturing on both sides by both the minority and the majority leaders, and they seemed to indicate that tonight we had a two-headed coin - to vote "yea" or "nay" on taxes and a budget. That, however, is not the case. It is more than a two-sided figure. There are other options which we did not even look at. We did look at them in caucuses; we were not allowed to take part in the budget process again. We were not allowed to change the tax system, but let us look at what we did tonight with the taxes—or this morning. What we have done is we have added another burden to each person in this Commonwealth who works for a living, but yet we are afraid to touch advertising, to tax the sale of magazines, to do many other things we could have done. We could have spared the workers of the Commonwealth another tax increase, added to the one we gave them this morning of one-tenth of a percent. We sit here and we posture.

This is my third budget. This system is a mockery of the democratic system. A handful of people, whether they are Democratic and Republican leaders or Governors in mansions, sit down and make all the decisions. We, like blind sheep, follow them. One thing that we have done tonight is that we have voted for an amendment which is still not in print. We do not know what taxes we voted for, if in fact we voted for them. Each one of us should sit down and examine our system, our conscience. It is fine to say it is 2 o'clock in

the morning, let us go home. Big deal. Let us take time and recognize what the taxpayers are doing every day. We sit here and we make a mockery of our own positions, not only of the system itself. We vote for things we have not even seen. We ignore every rule we establish. We are supposed to be lawmakers. We do not even follow the laws we make here in our own House. I am just tired of the same things over and over.

It is very simple. It is easy to sit up here and say, let us get it over; let us hurry up; the crisis time is here. Another couple of hours would not have mattered if you went to caucus and discussed maybe what you voted upon, but the solution was reached, as we were told earlier, so let us get it voted. I think that there is a lot of posturing and a lot of accolades have been handed out which have been totally unwarranted and unnecessary. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. DEAL. Mr. Speaker, I want to publicly say that it has been a pleasure watching and being under the leadership of Mr. Manderino. Though we will be booed tonight and it will appear that this side lost, I am sure as I am standing here that history will certainly tell the truth.

It is very unfortunate—and I did cast my vote this evening—it is very unfortunate that some of us were put in that position - held hostage; things done that I did not believe a Governor could do. I did not believe that one could be so heartless and so callous that one could deny funds for education to young people and even take the political privilege of denying the whole House an opportunity so that the employees would be able to eat or feed their families. I did not believe that this kind of thing could happen in a civilized society. But, Mr. Speaker, those of us who swore to become legislators in this Commonwealth swore that they would be concerned about the constituency of this great Commonwealth, and there just comes a time that after you fight so long, you have to begin to make sure that the Commonwealth survives. And I say to those on the other side, some of us did cast our vote, but many of us cast it because we felt morally obligated to accept some measure of responsibility to make sure that this Commonwealth does not fold up tomorrow, but it is unfortunate that we had to be held hostage.

It is unfortunate in the political shenanigans that somehow those things that could have helped turn this Commonwealth around, economic development programs, programs that would send the message clear across this country and invite other businesses to come into the Commonwealth of Pennsylvania, that somehow the heart was not there at the head of this government, and I am sure that now in the hopper some of you on the other side are trying to prepare that same bill, hoping that you will be in the majority someday and present PennPRIDE under the name of some other disguise. I do not believe that you will be that fortunate. I believe that the public will not be fooled. I believe clear across this Commonwealth that people know that we in the Democratic Party tried to give the leadership. Though we were not at the head of this govern-

ment, we proved to this Commonwealth that we were willing to do our part. We were willing to put up votes. We were willing to do anything to help save this Commonwealth, and it is just too bad that while we were sticking out our hands in the leadership, crying out that we wanted to join with you and give leadership regardless to who was the Governor, you cared less. All we were concerned about was this Commonwealth.

Mr. Speaker, yes, I cast my vote. Yes, I cast it; cast it for the young children who were being denied an opportunity for basic education and higher education. Yes, I cast my vote so that those who had given so much to help build up and support us in the House would have an opportunity to feed their families. Yes, I cast my vote so that this government would continue to survive tomorrow. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. McVERRY. Mr. Speaker, I am sure it is rather obvious to everyone that anything I might have to say would be following that which has been said too little too late, and I believe it to be. I believe the accolades that have been spread upon the members of the General Assembly tonight are too little too late. I believe that the action we took tonight is maybe too little but obviously too late. And we stand here and we applaud one another. I find that to be curiously interesting. We applaud one another because on the 15th of July we settled a problem that we should have settled on the 15th of May. But be that as it may, I find it curiously interesting that remarks are being made as to why we have not dealt responsibly with bills, passing taxes, and complaining about those taxes not having been in print after we did it, not before we did it but after we did it. But again, it bothers me tremendously. It really does bother me that we are in a situation where we are willing to vote for a billion dollars of taxes but we are not willing to vote for whatever amount of taxes are necessary to balance the budget and keep the State in operation.

This is not supposed to be a partisan process, is it? But it is. And it is truly unfortunate that those of you who were so gracious to give 19 votes to pass the tax package to fund this budget—oh, did you give 20? Oh my goodness, I miscounted. I apologize; 20 votes—are so responsible for the operation of State Government.

Nevertheless, it is too little too late, and so please, please do not take home with you the message of your responsiveness and your responsibility as a representative of the people of the Commonwealth, because believe me, as a body, we are much less than that.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman from Cumberland, Mr. Kennedy, seek recognition? The Chair recognizes the gentleman.

Mr. KENNEDY. Thank you, Mr. Speaker.

I do not know how appropriate this may be for me to say what I feel, but like probably two dozen other members of our caucus—

The SPEAKER. Will the gentleman yield.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, will the gentleman suspend for 1 minute?

There is a necessity on one of the bills that have to move this evening that the Appropriations Committee hold a meeting, and I would suggest while we are in the midst of happy hour we can ask them to go out and meet and come back. Can we interrupt and call that meeting?

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Pievsky, to announce an immediate meeting of the Appropriations Committee at the rear of the hall of the House.

Now the gentleman, Mr. Kennedy, may proceed.

Mr. KENNEDY. Thank you, Mr. Speaker.

Is everybody leaving?

For those of you who would care to listen, there were probably two dozen voters, members of our caucus, who had just as much trouble with putting a green light on that wall as I had.

But I would just like to say that from the beginning in February when the administration presented a budget to us, if that budget would have been presented in such a way that showed significant cuts in last year's expenditures before the new numbers were added to make up the deficits, I believe we would have had a budget passed here a long time ago. I just feel that the leadership sometimes at the top of this State, in my opinion at times, is wanting for more conviction. I feel that if the original budget was presented in a tougher business-like manner, we would have had a lot easier time in getting a budget passed a couple of months ago. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

For what purpose does the gentleman from Dauphin, Mr. Dininni, rise?

Mr. DININNI. Point of personal privilege.

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

Mr. DININNI. To make a brief statement.

The SPEAKER. What is the gentleman's point of personal privilege? Does the gentleman seek unanimous consent?

Mr. DININNI. I am sorry. To make a brief statement.

The SPEAKER. Does the gentleman wish unanimous consent?

Mr. DININNI. Yes.

The SPEAKER. Unanimous consent, without objection, is granted. The Chair hears no objection. The gentleman may proceed.

Mr. DININNI. Mr. Speaker, I have been around here for a lot of years, and to me, I do not like the political game that is being played. In all the years that I have been here, no one ever twisted my arm, on my side anyhow, to vote for a tax program or a budget. I did what I saw was fit and what was right by the people of Pennsylvania.

I do not like the game that is being played at all. I can recite without mentioning names—I guess I am not permitted to mention names anyhow—but I will take, for an example, right here in Dauphin County. We passed the budget. My legislators in Dauphin County all voted "yes." In the city of Harrisburg for many, many years we have been trying to increase the aid that we were giving to fire protection, which was accomplished in this year's budget, and through the budget that was passed, the school system is going to receive a little over \$1 million. With what is going to the city of Harrisburg, of which the approximate population is 50,000, which only is equivalent to one legislative district out of four, at the same time I watched our one legislator vote for the budget, and I want the record to show he certainly did not have the nerve to vote to pay for it. Thank you.

The SPEAKER. The Chair thanks the gentleman.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. For what purpose does the gentleman from Dauphin, Mr. Wambach, rise?

Mr. WAMBACH. Point of personal privilege.

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

Mr. WAMBACH. Mr. Speaker, in response to the previous gentleman's remarks, whom I still consider a good friend of mine, I would like to say that when the budget vote went up this evening, and in recognizing that Harrisburg, yes, is increased for the Fire Bureau by \$125,000, and in recognizing a few other things, like the subsidy that the majority leader pointed out, I think we are simply there, if you will. In respect to his leader, when his leader came up the aisle and asked for additional votes for the budget—I do not like being called, if you will, a person who does not have the guts to put up a tax vote—but when your leader came up on my side of the aisle and asked for more votes for that budget, he knew that I was not going to be voting for the tax package, and out of respect for your leader that I have, I put the vote up for the budget. But when you look, when you look at what is happening in this State, where Pennsylvania has nowhere to go with this budget; when you look, as the majority leader pointed out, at a small State like Vermont which has committed \$5.3 million, 1.5 percent of their budget for jobs, for jobs, then Pennsylvania's economic development program is worth \$11 million.

We did something historic here this morning. I am talking about yesterday morning when we took an agreement between labor and business. But what happens? We told the Nation that labor and business got together in Pennsylvania, but we also told business that may be out there wanting to locate, wanting to start up, wanting to relocate, that Pennsylvania does not have the economic development guts to invest in bringing them to Pennsylvania to the tune of \$11 million.

I think it is a disgrace, Mr. Speaker, that Mr. Dininni feels that he has to cover his vote by putting an onus on this side of the aisle, when out of respect for his own leader, I was there for him. As has been pointed out, 20 Democratic votes went

to that budget this evening before the tax vote; 20 votes that would not have been there; 20 votes that got the Republicans out of their dilemma, and I respect them for it. But if the previous speaker would notice when that budget vote went up, Wambach was "no" on that budget vote until his leader came across the aisle.

I think it is about time we got serious about where Pennsylvania is going. I think PennPRIDE is going to be more viable next year because Pennsylvania is going to be consistently lagging behind the Nation. There is a 12.6-percent unemployment rate in Pennsylvania, Mr. Speaker, and there is less than 10 percent in the Nation. That should tell you something. You are a businessman. You know what it takes. But I am not intimidated by those remarks, and I can still say, yes, Mr. Speaker, Rudy Dininni is a friend of mine. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

Mr. WAMBACH. Mr. Speaker, one additional point.

The SPEAKER. The gentleman is recognized and may proceed.

Mr. WAMBACH. Mr. Speaker, in the last few years when I had been a member of this House of Representatives, I saw a budget come forward that was adopted through the conference committee route. When Mr. Dininni had every opportunity to fight for those programs that are important to his district, he decided not to. I am pleased with the approach of the majority party in this House this year when it gave an opportunity to a person like myself to come forward and offer an amendment for \$125,000. That is representing your district. But when he had the opportunity to do the same but he was shut out, he elected to listen. But he did not offer one positive program this year for his district when he had the opportunity. I ask you, what is representation? Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

REMARKS ON VOTE

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

Mr. SALVATORE. Mr. Speaker, I inadvertently voted "no" on SB 827. I want the record to show that I would have voted "yes," since I voted for the tax bill, HB 22.

The SPEAKER. The Chair thanks the gentleman.

It is fully the intention of the leaders of both parties to get you out of here this morning so that you may go home, but we cannot do that if you are all behind the brass rail and outside of the room.

BILLS ON THIRD CONSIDERATION CONTINUED

CONSIDERATION OF SB 308 RESUMED

The House resumed consideration of SB 308, PN 1115, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," providing for equal rights between men and women; allowing a negotiable item for State employees; and making editorial changes.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. NOYE offered the following amendments No. A2309:

Amend Title, page 1, line 21, by inserting after "women;" providing for confirmation by the House of Representatives of gubernatorial nominees for public office;

Amend Bill, page 2, by inserting between lines 19 and 20 Section 2. Section 207.1 of the act is amended by adding a subsection to read:

Section 207.1. Gubernatorial Appointments.—***

(h) All public officers nominated by the Governor whose appointment requires the confirmation of the Senate shall also be required to be confirmed by a majority of the members elected to the House of Representatives.

Amend Sec. 2, page 2, line 20, by striking out "2" and inserting

3

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

4

Amend Sec. 4, page 3, line 23, by striking out "4" and inserting

5

Amend Sec. 5, page 8, line 21, by striking out "5" and inserting

6

Amend Sec. 6, page 10, line 8, by striking out "6" and inserting

7

Amend Sec. 7, page 10, line 10, by striking out "7" and inserting

8

On the question,

Will the House agree to the amendments?

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

Mr. NOYE. Thank you, Mr. Speaker.

I am offering amendment 2309, which is an amendment to the Administrative Code. For some time there are those members of this body, many in our caucus, who have always thought that this House had been slighted by the actions of the Senate in confirming those nominees who are confirmed by a majority in that body. This amendment would state that any such nominee by the Governor whose appointment requires a majority vote over in the other body would also stand before this body for confirmation. I believe that this is something that this body has sought for many years. I think it brings into perspective the coexistence that exists between both the other body and this body, and I submit this to the membership for their consideration and participation. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. COHEN. Mr. Speaker, this is a very meritorious amendment if taken in isolation. However, if taken as part of this bill, the effect of this is to kill SB 308, because the Senate is awfully unlikely to accept this amendment. I certainly would be very glad to cosponsor this with Mr. Noye, if he wishes to introduce it as a separate bill. I am sure many members of the Democratic Caucus would be delighted to cosponsor it, but on this bill at this time I would urge a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

CONSTITUTIONAL POINT OF ORDER

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

Mr. KUKOVICH. Mr. Speaker, again apart from the merits, it appears that on its face this bill is constitutional and would have to be offered as an amendment to the Constitution. On that basis, I would like to make a motion on constitutionality.

The SPEAKER. The question of constitutionality is decided by the floor of the House. The gentleman from Westmoreland, Mr. Kukovich, has questioned whether or not the amendment offered by the gentleman, Mr. Noye, is constitutional in being offered to SB 308, his argument being that the amendment must be submitted as a constitutional amendment rather than to this bill.

On the question,

Will the House sustain the constitutionality of the amendments?

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

Mr. NOYE. Thank you, Mr. Speaker.

I think you will notice in the amendment the distinction that is drawn between those nominees by the Governor that require a majority vote as compared to those that require a two-thirds vote. I think you will find that the Constitution speaks only to those requiring a two-thirds vote, and this amendment does not speak to those nominees. We are speaking to those nominees requiring only a majority vote.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

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

Mr. SPITZ. Mr. Speaker, a point of parliamentary inquiry I would address to the Chair, but if—

The SPEAKER. The gentleman will state the point.

Mr. SPITZ. Yes, Mr. Speaker.

I am having a little trouble at quarter of 3 finding the area in the Constitution that addresses confirmation. With a little help from the Speaker or any of the members who have just spoken, I would appreciate the article and the section.

The SPEAKER. Does the gentleman, Mr. Kukovich, have the citation?

Mr. KUKOVICH. Mr. Speaker, if you will give me a moment to check a copy of the Constitution, please.

The SPEAKER. Every once in a while the gentleman, Mr. Letterman, adds to the legend of the House. His suggestion is that the section is probably a section 8. The amusing thing is that the gentleman is right - in Article IV, section 8, "Appointing Power." It seems that those who drew the Constitution understood the Senate very well.

The question recurs, and this decision must be decided by a simple majority of the members present.

Does the gentleman from Perry, Mr. Noye, seek recognition? The Chair recognizes the gentleman, Mr. Noye.

Mr. NOYE. Yes, Mr. Speaker. At this hour it would come under a section 8, would it not?

We are reading this in response to Mr. Kukovich's inquiry, and what we find, in addition to what I had mentioned, is that the section as outlined really does not expressly prohibit this House from action in this area if designated by legislative action. So I fail to see where the constitutional question should be raised in this matter.

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

Mr. KUKOVICH. Mr. Speaker, the Constitution lays out the nomination and confirmation process. Even though the Constitution may be silent on another branch acting, by that silence it prohibits another chamber from doing so unless the Constitution is amended. On the surface, such an action cannot be done by statute. It would have to be done by amendment to the Constitution, and for that reason it would be unconstitutional to pass such a law.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I think that the constitutional argument raised by Mr. Kukovich is valid. The Senate confirms the gubernatorial appointments. That authority is found in the Constitution of Pennsylvania. Any action to also require the House of Representatives to confirm certainly contravenes the words of the Constitution of Pennsylvania as it is now written.

I would ask every member to vote that the matter before us in the Noye amendment violates the Constitution and is not constitutional.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Delaware, Mr. Spitz.

Mr. SPITZ. Mr. Speaker, on the Noye amendment I would respectfully disagree with Mr. Kukovich and the majority leader, both of the gentlemen from Westmoreland, in this instance.

Mr. Speaker, the Constitution is very clear. There is an absolute mandate that these nominations must go to the Senate and be confirmed. There is no prohibition against legislation that says that this House must act, and we do this all the time in legislation. We require that certain things be done by the House or by the Senate or by both bodies, and there is absolutely no prohibition in the Constitution. What we are

doing is adding by legislation a requirement, and the gentlemen, even though they did not say it, are really saying that there must be some kind of inference in the Constitution. Well, there is no such thing. There is a mandate that the confirmations go to the Senate. Mr. Noye does not change that mandate, does not interfere with that mandate; he adds to it, and clearly, absent some prohibition, we have that authority, and we probably ought to have the right and the Constitution probably ought to be changed just to add to Mr. Noye's idea. We ought to put it in place in law and then add to it in the Constitution.

The SPEAKER. The question before the House is, is the Noye amendment constitutional? Those who believe it to be constitutional will vote "aye"; those who believe it to contravene the Constitution will vote "no."

On the question recurring,

Will the House sustain the constitutionality of the amendments?

The following roll call was recorded:

YEAS—97

Angstadt	Flick	McClatchy	Salvatore
Armstrong	Foster, Jr., A.	McVerry	Saurman
Belardi	Freind	Mackowski	Scheetz
Book	Fryer	Madigan	Schuler
Bowser	Gallen	Manmiller	Semmel
Brandt	Geist	Marmion	Serafini
Broujos	Gladeck	Merry	Sirianni
Bunt	Godshall	Micozzie	Smith, B.
Burd	Greenwood	Miller	Smith, I. E.
Cawley	Grieco	Moehlmann	Snyder, D. W.
Cessar	Gruppo	Mowery	Snyder, G. M.
Cimini	Hagarty	Nahill	Spitz
Civera	Hasay	Noye	Stairs
Clark	Hayes	O'Brien	Swift
Clymer	Herman	Perzel	Taylor, E. Z.
Cornell	Hershey	Peterson	Taylor, F. E.
Coslett	Honaman	Phillips	Vroon
Coy	Jackson	Piccola	Wass
DeVerter	Johnson	Pitts	Weston
Davies	Kennedy	Pott	Wilson
Dietz	Lashingier	Punt	Wogan
Dininni	Lehr	Reinard	Wozniak
Dorr	Levi	Robbins	Wright, J. L.
Fargo	Livengood	Ryan	Wright, R. C.
Fischer			

NAYS—98

Afflerbach	Duffy	Lucyk	Rudy
Alderette	Durham	McCall	Rybak
Arty	Evans	McHale	Saloom
Baldwin	Fattah	McMonagle	Seventy
Barber	Fee	Manderino	Showers
Battisto	Freeman	Markosek	Spencer
Belfanti	Gallagher	Mayernik	Steighner
Blaum	Gamble	Michlovic	Stewart
Boyes	George	Miscevich	Stuban
Burns	Gruitza	Morris	Sweet
Caltagirone	Haluska	Mrkonic	Telek
Cappabianca	Hoeffel	Murphy	Tigue
Carn	Hutchinson	O'Donnell	Trello
Cohen	Itkin	Olasz	Truman
Colafella	Jarolin	Oliver	Van Horne
Cole	Kasunic	Petrarca	Wachob
Cordisco	Kosinski	Petrone	Wambach
Cowell	Kowalyshyn	Pievsky	Wargo
Deluca	Kukovich	Pistella	Wiggins
DeWeese	Laughlin	Pratt	Williams
Daley	Lescovitz	Preston	Wright, D. R.

Dawida	Letterman	Rappaport	Zwilk
Deal	Levin	Reber	
Dombrowski	Linton	Richardson	Irvis,
Donatucci	Lloyd	Rieger	Speaker

NOT VOTING—6

Beloff	Gannon	McIntyre	Maiale
Foster, W. W.	Harper		

EXCUSED—2

Klingaman	Stevens
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Less than the majority having voted in the affirmative, the question was determined in the negative and the constitutionality of the amendments was not sustained.

On the question recurring,

Will the House agree to the bill on third consideration?

PARLIAMENTARY INQUIRY

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

Mr. GEIST. Thank you, Mr. Speaker. A question for the Chair.

The SPEAKER. The gentleman will state the question.

Mr. GEIST. As it is printed now, is it divisible?

The SPEAKER. The amendment is no longer before the House.

Mr. GEIST. No; we are not talking about the amendment.

The SPEAKER. To what do you direct your question, sir?

Mr. GEIST. The bill. Is it divisible?

The SPEAKER. A bill may never be divided, sir. Bills are not divisible.

Mr. GEIST. Could we stand at ease for a moment, please?

The SPEAKER. The House will stand at ease.

MOTION TO REVERT TO
PRIOR PRINTER'S NUMBER

Mr. GEIST. Thank you, Mr. Speaker.

At this time I would like to place a motion to revert to the prior printer's number.

The SPEAKER. The Chair's calendar is so marked that it would not indicate that there is any prior printer's number. This is a Senate bill; it has not been amended.

Mr. GEIST. Yes, it has. It was amended in committee.

The SPEAKER. The Chair stands corrected. The Chair was going by its own calendar and it was not so marked. The Parliamentarian has informed the Chair that SB 308 does have a prior printer's number, and that prior printer's number is 506.

It has been moved by the gentleman, Mr. Geist, that SB 308, PN 1115, be reverted to its prior printer's number of 506.

On the question,

Will the House agree to the motion?

POINT OF ORDER

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

Mr. RAPPAPORT. I rise to a point of order, Mr. Speaker.
 The SPEAKER. The gentleman will state the point of order.

Mr. RAPPAPORT. I believe, sir, this bill was amended in the other body, not in this body. Am I correct?

The SPEAKER. The amendment was inserted by the House State Government Committee.

Mr. RAPPAPORT. Thank you, Mr. Speaker.

The SPEAKER. Therefore, the motion to revert is in order.

On the motion, the Chair recognizes the gentleman from Allegheny, Mr. Cowell.

Mr. COWELL. Mr. Speaker, would the maker of the motion please explain for the members of the House what would remain in the bill if we did successfully revert to a prior printer's number? And secondly, would the gentleman review for the members of the House what would be eliminated from the bill if we reverted to a prior printer's number?

The SPEAKER. Will the gentleman, Mr. Geist, stand for interrogation? Does the gentleman wish to answer the question? The gentleman is so recognized.

Mr. GEIST. Yes, Mr. Speaker. Equal opportunity will stay in. Agency shop would be added again on the floor as an amendment so that the amendment could be debated by the House.

The SPEAKER. The Chair believes the gentleman means to answer that if the House reverts, there would be nothing in there except the equal opportunity, the prohibition of unconstitutional discrimination in the code's application to women. The agency shop language would be removed. Then the gentleman stated that, in his opinion, the agency shop language would be offered as a floor amendment to be debated, but that is not the result of the reversion. The result of the reversion is that the agency shop language would be deleted from the bill.

Mr. COWELL. Mr. Speaker, if I might pursue that questioning, is it the gentleman's intention that the agency shop language be removed from the legislation before us only so that it might be debated as a separate amendment?

Mr. GEIST. That is correct.

Mr. COWELL. Mr. Speaker, if I may make a remark then.

The SPEAKER. The Chair recognizes the gentleman.

Mr. COWELL. I would suggest that if the maker of the motion only intends to provide an opportunity to debate the issue of agency shop simply by making the motion to revert to the prior printer's number, he certainly has provided us that opportunity, and I would urge the gentleman and those who might speak on behalf of the motion to revert to a prior printer's number to explain specifically why they are opposed to agency shop and why they would request that this legislature remove that language from the bill. I think it is important to note that the impact of this motion would be, as has been stated, to remove the agency shop language from the bill, and those who would vote in favor of this motion in fact would be expressing an opinion, casting a vote, opposed to agency shop.

I would oppose that motion to revert to a prior printer's number. I believe that the language that is before us is appropriate. I believe that SB 308 as amended by the State Government Committee deserves the approval of this House of Representatives. It does not mandate agency shop; it simply makes agency shop a negotiable item for certain Commonwealth employees. I think that we ought to approve SB 308 as it was amended by the State Government Committee. We ought to approve it this evening, but first we ought to dispose of the motion before us. We ought to defeat the motion to revert to a prior printer's number.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Geist, moves that SB 308, PN 1115, be reverted to its prior printer's number of 506. Those in favor of the reversion will vote "aye"; those opposed will vote "no."

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

The following roll call was recorded:

YEAS—80

Angstadt	Fryer	Mackowski	Salvatore
Armstrong	Gallen	Madigan	Saurman
Book	Geist	Manmiller	Scheetz
Bowser	Gladeck	Marmion	Schuler
Brandt	Godshall	Merry	Semmel
Bunt	Greenwood	Miller	Sirianni
Burd	Gruppo	Mochlmann	Smith, B.
Cessar	Hagarty	Mowery	Smith, L. E.
Clymer	Hayes	Nahill	Snyder, D. W.
Cornell	Herman	Noye	Snyder, G. M.
DeVerter	Hershey	O'Brien	Spencer
Davies	Honaman	Peterson	Spitz
Dietz	Jackson	Piccola	Swift
Dininni	Johnson	Pitts	Taylor, E. Z.
Dorr	Kennedy	Pott	Vroon
Fargo	Lashinger	Punt	Wass
Flick	Lehr	Reber	Weston
Foster, W. W.	Levi	Reinard	Wilson
Foster, Jr., A.	McClatchy	Robbins	Wogan
Freind	McVerry	Ryan	Wright, J. L.

NAYS—113

Afflerbach	Dombrowski	Livengood	Rudy
Alderette	Donatucci	Lloyd	Rybak
Baldwin	Duffy	Lucyk	Saloom
Barber	Durham	McCall	Serafini
Battisto	Evans	McHale	Seventy
Belardi	Fattah	McMonagle	Showers
Belfanti	Fee	Manderino	Stairs
Blaum	Fischer	Markosek	Steighner
Boyes	Freeman	Mayernik	Stewart
Broujos	Gallagher	Michlovic	Stuban
Burns	Gamble	Micozzie	Sweet
Caltagirone	Gannon	Miscevich	Taylor, F. E.
Cappabianca	George	Morris	Telek
Carn	Gruitza	Mrkonic	Tigue
Cawley	Haluska	Murphy	Trello
Civera	Hasay	O'Donnell	Truman
Clark	Hoeffel	Olasz	Van Horne
Cohen	Hutchinson	Oliver	Wachob
Colafella	Itkin	Perzel	Wambach
Cole	Jarolin	Petrarca	Wargo
Cordisco	Kasunic	Petrone	Wiggins
Coslett	Kosinski	Phillips	Williams
Cowell	Kowalshyn	Pievsky	Wozniak
Coy	Kukovich	Pistella	Wright, D. R.
Deluca	Laughlin	Pratt	Zwikl
DeWeese	Lescovitz	Preston	
Dalcy	Letterman	Rappaport	Irvis,

Dawida Deal	Levin Linton	Richardson Rieger	Speaker
NOT VOTING—8			
Arty Beloff	Cimini Grieco	Harper McIntyre	Majale Wright, R. C.
EXCUSED—2			
Klingaman	Stevens		

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

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. NOYE offered the following amendments No. A2349:

Amend Title, page 1, line 22, by inserting after "EMPLOYEES;"

providing for unfair labor practices;

Amend Sec. 4, page 3, line 23, by striking out "A SECTION" and inserting sections

Amend Sec. 4, page 8, by inserting between lines 20 and 21

Section 2216. Unfair Labor Practices.—(a) In addition to the unfair labor practices enumerated in section 6 of the act of June 1, 1937 (P.L.1168, No.294), known as the Pennsylvania Labor Relations Act, it shall also be an unfair labor practice for any employer to encourage or discourage membership in any labor organization, employe agency, committee, association or representation plan by discrimination in regard to hiring, tenure, or other terms and conditions of employment with respect to any employe for nonmembership in or failure to provide financial support to a labor organization if the employe is a student who is enrolled or registered to be enrolled in a full-time program of secondary, vocational or higher education, as determined by law or by the rules of the institution in which the student is registered or enrolled governing full-time status.

(b) It shall also be an unfair labor practice for a labor organization, or any officer or officers of a labor organization, or any agent or agents of a labor organization, or anyone acting in the interest of a labor organization, or for an employe or for employes acting in concert to intimidate, restrain, or coerce any employe for the purpose and with the intent of compelling such employe to join or to refrain from joining any labor organization, or for the purpose or with the intent of influencing or affecting his selection of representatives for the purposes of collective bargaining or for the purpose and with the intent of affecting or influencing the employe's exercise of his legal rights under the Pennsylvania Labor Relations Act, as well as those contemplated under subsection (a) of this section.

On the question,

Will the House agree to the amendments?

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

Mr. NOYE. Thank you, Mr. Speaker.

This is amendment A2349. It speaks to section 2216 dealing with unfair labor practices. What this would do in basis is require that if agency shop is agreed to and put into law, as a condition of employment those individuals who are students would not be required to be a member of that bargaining group. Students would be exempt as long as they were part-time employees or temporary employees from the bargaining unit.

The SPEAKER. The Chair thanks the gentleman.

On the Noye amendment, the Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Mr. Speaker, this amendment can be aptly titled "right-to-work for students." This is a right-to-work amendment. What it does is it says that if an employer can so structure his work force so that there will be a large number of part-time employees who are college students, then we will have right-to-work for that agency or that employer. Right-to-work is a strongly antiunion philosophy. It is strongly against the interests of the working people of this Commonwealth. I would urge a "no" vote on this amendment.

The SPEAKER. Does the gentleman, Mr. Noye, seek recognition for the second time?

Mr. NOYE. Yes, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman.

Mr. NOYE. I think the issue speaks for itself. We have young men and women out there trying to make money in summer employment for their college education. In these economic times I cannot think of any young people out there who are not trying to find some kind of employment, and this is a further drain on their finances. I think it is an option open to them. If they choose to do so, they may do so; if they care not to, I do not think that should be a condition of employment. Now, if he wants to call that right-to-work, I disagree with him. I do not look at it that way. I think it gives those students the option if they are fortunate to find a job for the summer.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, for the second time, the gentleman, Mr. Cohen.

Mr. COHEN. Mr. Speaker, this amendment nowhere mentions the word "summer." It is a year-round amendment. I did not coin the phrase "right-to-work." There is a national committee, the Right to Work Committee, which has coined the phrase "right-to-work." This bill meets their definition of "right-to-work." They ought to know what it is since they coined the phrase. I would urge a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Cowell, on the Noye amendment.

Mr. COWELL. Thank you, Mr. Speaker.

I would urge that we reject the Noye amendment currently before us. I would make two points. First of all, students who are employed in the private sector already in many areas of Pennsylvania—working in our steel mills during the summer; working in our shopping centers; working in a grocery market—are in many cases covered by agency shop provisions, the same kind of language from which Representative Noye would seek to exempt those who happen to work for State Government. I think that would be discriminatory, and I do not think we ought to pursue that line of thinking and that kind of language.

Secondly, again we emphasize that agency shop would only be an item which could be negotiated, and I would suspect that the kind of exemption that Mr. Noye would have us mandate in this legislation through his amendment still could

be a negotiable item. It may well be that the parties who would negotiate would deem this to be appropriate. I do not think that we ought to mandate it in the legislation though. We ought to reject the amendment as it is presented to us today.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Northampton, Mr. Freeman, on the Noye amendment.

Mr. FREEMAN. Thank you, Mr. Speaker.

If Mr. Noye's concern in this amendment is to protect students for summer employment, his point is unfounded, since in almost every case, before union membership or agency shop is introduced, there is a probationary period in which time a person would not pay dues.

Second, if this student or students in a full-time or part-time capacity go beyond a summertime employment, then they are receiving the full benefits that union dues-paying members receive and should thus share the same responsibilities for those benefits. I urge a "no" vote on this amendment.

The SPEAKER. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Mifflin, Mr. DeVerter.

Mr. DeVERTER. Thank you, Mr. Speaker.

Mr. Speaker, maybe it is the time of the morning, but maybe it is silly time. I have a great deal of trouble getting Mr. Cohen's remarks to sink, because as I recall, students, as Mr. Noye's amendment addresses, normally attend school at some time. So I do not know how in the world it could be a year-round student program. I would ask for support of the amendment, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the Noye amendment, the Chair recognizes the gentleman from Washington, Mr. Fischer.

Mr. FISCHER. Mr. Speaker, I rise to urge all of you to vote against this amendment. If it had not been for the generosity of the United Steelworkers when I was a student permitting me to be a part of their work force at Jessop Steel in Washington, I never would have gotten an education. I urge all of you then to help our young people find the same kinds of benefits that I did as a student and vote against this amendment.

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—72

Armstrong	Geist	Madigan	Saurman
Book	Gladeck	Manmiller	Scheetz
Bowser	Godshall	Marmion	Schuler
Boyes	Greenwood	Merry	Semmel
Brandt	Gruppo	Miller	Sirianni
Bunt	Hagarty	Moehlmann	Smith, B.
Clymer	Hasay	Mowery	Smith, L. E.
Cornell	Hayes	Nahill	Snyder, D. W.
Coslett	Herman	Noye	Snyder, G. M.
DeVerter	Hershey	Peterson	Spencer
Dietz	Honaman	Piccola	Swift
Dininni	Jackson	Pitts	Taylor, E. Z.
Dorr	Johnson	Pott	Vroon

Fargo	Kennedy	Punt	Wass
Foster, W. W.	Levi	Reinard	Weston
Foster, Jr., A.	McClatchy	Robbins	Wilson
Freind	McVerry	Ryan	Wogan
Gallen	Mackowski	Salvatore	Wright, J. L.

NAYS—120

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

NOT VOTING—9

Beloff	Flick	Harper	O'Brien
Burd	Grieco	Maiale	Spitz
Cimini			

EXCUSED—2

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

WELCOME

The SPEAKER. The Chair is pleased to welcome to the gallery of the House Mr. Thomas Connors, who is here as the guest of Representative Cawley and Representative Belardi.

CONSIDERATION OF SB 308 CONTINUED

On the question recurring,
Will the House agree to the bill on third consideration?
Mr. NOYE offered the following amendments No. A2316:

Amend Title, page 1, lines 21 and 22, by striking out "ALLOWING A NEGOTIABLE ITEM FOR STATE EMPLOYEES" and inserting providing for the filing of certain reports by employee organizations

Amend Sec. 4 (Sec. 2215), page 3, line 26, by striking out "HAVING AN AGENCY SHOP AGREEMENT"

Amend Sec. 4 (Sec. 2215), page 5, lines 14 and 15, by striking out "HAVING AN AGENCY SHOP AGREEMENT"

Amend Sec. 4 (Sec. 2215), page 7, lines 24 through 30, and page 8, lines 1 through 20, by striking out all of said lines on said pages

On the question,

Will the House agree to the amendments?

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

Mr. NOYE. Thank you, Mr. Speaker.

Amendment 2316 will remove agency shop from the bill and then it will leave in that section of the original bill as well as the reporting provisions as outlined in the further paragraphs of the bill.

PARLIAMENTARY INQUIRY

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

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

The SPEAKER. What is the gentleman's point of parliamentary inquiry?

Mr. COWELL. Mr. Speaker, it occurs to me that the impact of the Noye amendment A2316 would be exactly the same as the impact of adopting the earlier Noye motion to revert to a prior printer's number. I wonder if in the opinion of the Chair that is akin to considering the same amendment twice.

The SPEAKER. The Chair had already noticed the similarities and therefore quickly checked to see. If the impact were identical, the Chair would rule that it is prohibited by the rules of the House. However, the gentleman, Mr. Noye's amendment adds certain language on page 1, lines 21 and 22, inserting "providing for the filing of certain reports by employee organizations." Therefore, that differs it from the motion to revert, and consequently, the amendment is well taken.

PARLIAMENTARY INQUIRY

The SPEAKER. Does the gentleman from Philadelphia, Mr. Cohen, ask for recognition?

Mr. COHEN. I would like a further point of parliamentary inquiry, Mr. Speaker.

Is that amendment divisible? If it is divisible, it would be good just to have the last sentence voted on.

The SPEAKER. In the opinion of the Chair, looking at it very quickly, it does not seem to be divisible.

Mr. COHEN. Okay.

The SPEAKER. Does the gentleman, Mr. Cohen, wish to be recognized on the amendment?

Mr. COHEN. Yes.

Mr. Speaker, although there is a very slight difference between this and the motion to revert, the effect of this amendment is almost 100 percent identical with the effect of the other amendment. It is to remove the agency shop provi-

sions from this bill. I would urge, as Mr. Cowell has urged before, that the agency shop provisions be kept in this bill and that this amendment be defeated.

The SPEAKER. The Chair thanks the gentleman.

On the Noye amendment, the Chair recognizes the gentleman from Allegheny, Mr. Cowell.

Mr. COWELL. Again, Mr. Speaker, I would simply note that the Chair, in response to my question just a moment ago, indicated that the only difference between amendment 2316 and the prior motion to revert to a prior printer's number would be the insertion of 10 words in the title of this particular act. Substantively, there is no real change. This is simply another attempt to gut this legislation and completely remove the agency shop provisions. I would urge that we defeat the amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, for the second time, the gentleman from Perry, Mr. Noye.

Mr. NOYE. Thank you, Mr. Speaker.

I respectfully disagree with the gentleman, Mr. Cowell. The amendment does go further than just the 10 words in the title, as he states. The amendment as written will remove agency shop, but it goes a step further, and that is it gives those union members the opportunity to see, in financial reports filed with the Department of Labor and Industry, just where their contributions go and what they are used for. I do not think any union member should be denied that information. I think it gives them the opportunity to find firsthand what that union is doing for them, and that would be public information then not only to the union members but to the general public as a whole.

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—74

Armstrong	Geist	Marmion	Scheetz
Book	Gladeck	Merry	Schuler
Bowser	Godshall	Moehlmann	Semmel
Brandt	Greenwood	Mowery	Serafini
Burd	Gruppo	Nahill	Showers
Clymer	Hagarty	Noye	Sirianni
Cornell	Hayes	O'Brien	Smith, B.
Coy	Herman	Peterson	Smith, L. E.
DeVerter	Hershey	Piccola	Snyder, D. W.
Davies	Honaman	Pitts	Snyder, G. M.
Dietz	Jackson	Pott	Spencer
Dininni	Johnson	Punt	Stairs
Dorr	Kennedy	Reber	Swift
Fargo	Lashinger	Reinard	Taylor, E. Z.
Flick	Levi	Robbins	Vroon
Foster, W. W.	McClatchy	Ryan	Wass
Foster, Jr., A.	Mackowski	Salvatore	Wogan
Freind	Madigan	Saurman	Wright, J. L.
Fryer	Manmiller		

NAYS—114

Afflerbach	Dawida	Letterman	Preston
Alderette	Deal	Levin	Rappaport
Angstadt	Dombrowski	Linton	Richardson
Arty	Donatucci	Livengood	Rudy
Baldwin	Duffy	Lloyd	Rybak

Barber	Durham	Lucyk	Saloom
Battisto	Evans	McCall	Seventy
Belardi	Fattah	McHale	Steighner
Belfanti	Fee	McMonagle	Stewart
Blaum	Fischer	Maiale	Stuban
Boyes	Freeman	Manderino	Sweet
Broujos	Gallagher	Markosek	Taylor, F. E.
Burns	Gamble	Mayernik	Telek
Caltagirone	Gannon	Michlovic	Tigue
Cappabianca	George	Micozzie	Trello
Carn	Gruitza	Miscevich	Truman
Cawley	Haluska	Morris	Van Horne
Cessar	Hasay	Mrkonic	Wachob
Civera	Hoeffel	Murphy	Wambach
Clark	Hutchinson	O'Donnell	Wargo
Cohen	Itkin	Olasz	Wiggins
Colafiglia	Jarolin	Oliver	Williams
Cole	Kasunic	Perzel	Wozniak
Cordisco	Kosinski	Petrarca	Wright, D. R.
Coslett	Kowalshyn	Petrone	Wright, R. C.
Cowell	Kukovich	Phillips	Zwikl
DeLuca	Laughlin	Pievsky	
DeWeese	Lehr	Pistella	Irvis,
Daley	Lescovitz	Pratt	Speaker

NOT VOTING—13

Beloff	Grieco	McVerry	Spitz
Bunt	Harper	Miller	Weston
Cimini	McIntyre	Rieger	Wilson
Gallen			

EXCUSED—2

Klingaman Stevens

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

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. A. C. FOSTER offered the following amendments No. A2317:

Amend Title, page 1, lines 21 and 22, by striking out "ALLOWING A NEGOTIABLE ITEM FOR STATE EMPLOYEES;" and inserting limiting representation under certain collective bargaining agreements;

Amend Sec. 4 (Sec. 2215), page 3, lines 24 through 30; pages 4 through 7, lines 1 through 30; page 8, lines 1 through 20, by striking out all of said lines on said pages and inserting

Section 2215. Representation by Employee Organizations.—Any employe organization having a collective bargaining agreement with the Commonwealth of Pennsylvania need only represent members of such employe organizations. Dues and fees shall be required and may be deducted only from members of such employe organizations.

On the question,

Will the House agree to the amendments?

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

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

This amendment gets to the problem that has been cited in the request for agency shop in a much more simple fashion than do the contents of the bill.

The problem that frequently arises in a situation where an employee need not be a member of the employee organization and need not pay dues is compounded by the problem that

that same employee will come to the employee organization and demand to be represented in a grievance, and under current provisions the employee organization will be required to represent that individual. Now frankly, as far as I am concerned, that belies history inasmuch as it seems to prove that all Gaul was not divided into three parts. I think it takes a lot of gall for anybody as a nonmember and a nondues payer to come and say, hey, you have to help me. I do not think it is fair; I do not think it is just, and this has been brought to my attention on many occasions by the employee organizations of our Commonwealth.

So rather than take the approach that we find in the bill, in which we require every employee to be a dues payer, I have simply, in this amendment, inserted the following language: "Representation by Employee Organizations.—Any employe organization having a collective bargaining agreement with the Commonwealth of Pennsylvania need only represent members of such employe organizations. Dues and fees shall be required and may be deducted only from members of such employe organizations."

What that says, Mr. Speaker, for anybody out there who does not want to pay their dues and says, I want to paddle my own canoe, the organization has a right to say to them, okay, buster, you paddle your own canoe, but when you get into the rapids, do not yell to us for help. I think it is a good amendment, and I ask for its adoption.

The SPEAKER. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Mr. Speaker, this is another way of gutting the whole concept of agency shop.

What Mr. Foster is trying to do is to make unions not representative of all the people but just representative of some of the people. That is not the purpose of unions. The purpose of unions is to represent all of the people. The concept of agency shop is designed to see that they get money from the people they are representing. Mr. Foster's goal is to limit the unions. That is clearly bad public policy. I would urge the defeat of this amendment.

The SPEAKER. The Chair thanks the gentleman.

On the Foster amendment, the Chair recognizes the gentleman from Delaware, Mr. Freind.

Mr. FREIND. Thank you, Mr. Speaker.

I rise to support the Foster amendment.

If you have listened to the arguments over the past couple years, you must draw the conclusion that this is a pro-union amendment. The sole argument that has ever been used by unions for agency shop is that which Mr. Foster explained, that in fact the union was required to represent everyone whether or not they belonged to the union and paid dues to it. As a matter of fact, the sole argument used by unions against right-to-work legislation is the same argument, that they are required by Federal law to represent everyone, even if they are not a member of the union.

We cannot change that by State legislation as far as the private sector is concerned. We can, however, by State legisla-

tion change this problem with respect to Act 195 and the State employees. If in fact the union is sincere in why it wants this representation, agency shop, it must support this legislation. It will eliminate the only problem that they have and will help them out tremendously. I therefore urge support for this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Cowell, on the Foster amendment.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, despite the characterization of this amendment as a pro-union amendment, I know of no union which supports it or supports any language which would be similar. So it leads me to believe that those who are in the business, those who would be looking out for their own interests, do not necessarily agree that this is a pro-union amendment.

Secondly, what this amendment would do if we were to adopt it would create the potential for a dual system of dealing with employees, which would be an administrative nightmare for State Government and for the employer and for supervisors generally. We talk not only about representing employees in terms of handling grievances, but equally as important, perhaps more important, is the process of representing employees in negotiations for salaries and fringe benefits and working conditions. I cannot believe that this Commonwealth, as an employer, would want to get into a system where on the one hand they were negotiating with a union that represented some employees in a particular workplace and would agree to a certain set of conditions and salaries and fringes, and on the other hand would want to deal with other employees, nonunion members in that exact same workplace, and somehow or other negotiate another set of salaries, fringes, and working conditions. I think it is not practical. I think we ought to reject it. In fact, a similar amendment was considered by the State Government Committee and it was rejected. I think as Representative Cohen suggested, we ought to recognize this amendment for what it really is, and that is simply another attempt to gut SB 308. We ought to reject it.

The SPEAKER. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Allegheny, Mr. Michlovic.

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Although this amendment, on the face of it, is an innocent one, in reality it is a union-busting amendment, because essentially it removes the incentives for that employee to join a union or to stay in a union. If only those employees who are members of the union pay the union dues, there is nothing prohibiting that company from paying and probably that company would pay their other employees the same amount as the union members. Consequently, the union members would be paying the extra dues. They would be taxed for being union members, and their people would be fighting for the whole group nonetheless.

We are removing the incentives in this kind of amendment, and that is why it is very dangerous, even though it looks as though it could be a good amendment. The whole issue of

agency shop is simply the same kind of thing we have dealt with here tonight. If the majority rules, everybody pays the taxes. If the majority rules in an agency shop situation, everybody pays the union dues, and that is why we ought to defeat this amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Franklin, Mr. Punt.

Mr. PUNT. Mr. Speaker, would the gentleman, Mr. Cohen, consent to interrogation?

The SPEAKER. The gentleman, Mr. Cohen, indicates he will stand for interrogation. The gentleman, Mr. Punt, is in order and may proceed.

Mr. PUNT. Mr. Speaker, can you tell me how many members are presently members of the public employees union AFSCME (American Federation of State, County, and Municipal Employees) within the State of Pennsylvania?

Mr. COHEN. No, I believe it is somewhere in the vicinity of 90 percent statewide. I do not know precisely what percentage are members of AFSCME or what percentage are members of PSSU (Pennsylvania Social Services Union) or SEIU (Service Employees International Union) or any of the other unions.

Mr. PUNT. With that answer, I take it you cannot tell me how many State employees are not members of AFSCME or PSSU and so forth?

Mr. COHEN. Roughly 10 percent, probably a little bit more than 10 percent.

Mr. PUNT. Are you aware of the amount of dues charged by AFSCME to members of the union?

Mr. COHEN. I could not give you the precise figure, Mr. Speaker.

Mr. PUNT. Mr. Speaker, may I make a statement?

The SPEAKER. The gentleman's interrogation is completed? The gentleman is in order and may proceed.

Mr. PUNT. Mr. Speaker, the gentleman, Mr. Cohen, is defending opposition to Representative Foster's amendment. During the last 2 days, I have tried to determine the number of members of State employees to AFSCME and so forth. I have had several conversations with Marlon Wagner and Jim Umbro of AFSCME Council 13, and as I have been informed, accurate or not, I was told there are approximately 47,000 State employees who are members of the union. If the agency shop would come into existence, it would increase the dues by an additional 20,000 employees.

I have also been informed that AFSCME assesses employees 1.25 percent of their gross wages. If SB 308 passes without the Foster amendment, this could realize an additional \$3 million in revenues to AFSCME.

The largest single concern expressed to me—

POINT OF ORDER

Mr. DOMBROWSKI. Mr. Speaker?

The SPEAKER. For what purpose does the gentleman from Erie, Mr. Dombrowski, rise?

Mr. DOMBROWSKI. Point of order, Mr. Speaker.

The SPEAKER. What is the gentleman's point of order?

Mr. DOMBROWSKI. Mr. Speaker, on various occasions I have heard people get up to the mike and say we should not interrogate a person on information that we already have in our possession. I heard the gentleman interrogate Mr. Cohen and ask him three or four questions and Mr. Cohen could not answer him, and now I hear the gentleman answering his own questions. I thought that was not allowed on this floor.

The SPEAKER. The gentleman, Mr. Dombrowski's point is well taken, except, if you follow the argument of the gentleman, Mr. Punt, he said he had been unable to ascertain the answers to the questions even though he had tried, and the Speaker heard him say that and therefore did not rule him out of order in his statements.

The gentleman may proceed.

Mr. PUNT. Thank you, Mr. Speaker.

If what I have been told is in fact true, it would realize an approximate \$3 million in additional revenues to AFSCME.

The largest single concern shared with me by members of AFSCME whom I have spoken with contained themselves to representing nonunion members in grievance proceedings. I personally do not think it is fair that a nonunion member must be represented by AFSCME or PSSU, whatever the bargaining unit is for nonunion members. By doing so, we are using union dues, those members, those public employees who are paying, if true, 1.25 percent of their gross wages to the union to represent nonunion members. Representative Foster's amendment deals with a basic thrust of the concern and complaint as I have been informed by members of the union. I think it is only right that the union represent its members, and it is only fair that we do not use dues of union members to represent nonunion members. I would strongly urge an affirmative vote for the Foster amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, for the second time on the amendment, the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Mr. Speaker, I have been informed by a member who happened to be able to get the exact figures that AFSCME represents 47,000 members; there are 11,000 nonmembers who would be added. That comes out to a total of 19 percent.

These facts are really irrelevant to the basic issue. The most significant kind of representation that a union gives is representation in terms of salaries and working conditions. If we have a bargaining unit with 500 people and there are, say, 400 of them who now are members, all 500 of them would be under this proposal. If the 100 additional members are aggrieved, if they feel they are not being adequately represented, they have a recourse and that is to vote against the incumbents in the union elections. Union incumbents lose just like we sometimes lose.

The proposal that is being advanced here would create utter chaos. You would have one union with 400 people making negotiations for those, and then there could be as many as 100 different kinds of bargaining contracts for everybody else. It

would create absolute chaos. It would be an administrative nightmare. It serves no purpose whatever, except advancing the agenda of the Right to Work Committee, and I therefore urge that it be defeated.

The SPEAKER. The Chair thanks the gentleman.

On the Foster amendment, the Chair recognizes the gentleman from Philadelphia, Mr. Deal.

Mr. DEAL. Mr. Speaker, I rise to speak against amendment 2317.

Mr. Speaker, this amendment would cause more confusion than the company or the union could ever deal with. Mr. Speaker, I could well understand someone trying to amend the bill to help strengthen the bill, but to amend the bill to make it confusing for the people who are involved, I raise serious questions about it.

Let me share with you two problems with this amendment. One of the problems would be that when you have a union that has already given the persons at that union or that location an opportunity for the majority to make a decision—and that is exactly what it means—what this bill says is that the majority may not speak for that particular location. It would open the floodgate for management to break a union, because they would make sure that on every issue that arose, the union would have to go to arbitration and spend large sums of money, and then the other people who were not in the union would not have it so hard if there were a problem until such time as that employer was able to break the union, and then they would pay the price. But it would be too late at that time.

The other problem is that if you are going to have a union representing the employees of an organization, then I would like someone to tell me how you would negotiate. Are you telling me that you would negotiate for only your members and say the heck with the rest of the people and have that kind of confusion? I am sure that the worst employer in this Commonwealth would have questions with this amendment.

I would hope those of you who have any love for the labor movement, have had any tie with the labor movement, understand anything about the history of the labor movement, would certainly vote against this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, for the second time on the Foster amendment, the gentleman from Delaware, Mr. Freind.

Mr. FREIND. Thank you, Mr. Speaker.

I have heard Mr. Cowell say that he knows of no union leader who would support this. I heard Mr. Michlovic say that it is union busting, and I heard Mr. Deal say that it would cause an administrative nightmare. For about the last 4 years I have worked very closely on this issue and in particular had a number of conversations and exchanged correspondence with one individual who is pretty much involved with the union cause. We talked about agency shop; we talked about right-to-work, and he told me that the only reason the union took those positions was because of the provision that the union had to represent everyone. I asked him point-blank if he would support a move to say that the union only had to represent those individuals who were members, and he said yes,

and I defer to his expertise, Mr. Speaker. His name is Julius Uehlein, the head of the AFL-CIO. I can think of no better reason to pass this amendment. We would be all pro-union. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, for the second time on the amendment, the gentleman, Mr. Foster.

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

I often stand in amazement that when we pass legislation in Harrisburg, we always seem to do it in the most difficult manner possible to arrive at the solution to a relatively simple problem. I think that is precisely what we are doing with the bill as it is written.

The one problem, the one problem that has been brought to my attention consistently has been the matter of free riders in the matter of pursuit of grievances by the employee organizations. This is the thing that they complain the most about, and I think it is unfair. I would not have the guts as a nonmember to go crawling in and say, please, you have got to help me with my problem. That takes a lot of gall.

Now, union busting? How can that be? When somebody comes in to the union as a nonmember and says, hey, you have got to help me, and they are told, look, you have elected to paddle your own canoe, go paddle it, I think that would be a pretty good incentive for that individual to join the union. The courts have ruled that the unions must represent nonmembers under existing law. All I want to do is take out that prohibition, make it fair.

This has been characterized as an anti-union amendment, a pro-union amendment. I do not characterize it as either; I characterize it as a people amendment. It is what America is all about - letting people make decisions and then letting them live with the consequences of those decisions. All I ask is that we do approach this problem in the simplest way and deal with it in the simplest way by simply saying that the union need only represent its members, and anybody who wants to go on their own, they are on their own. This is the Pennsylvania way. This is the American way.

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—82

Angstadt	Gallen	Marmion	Scheetz
Armstrong	Geist	Merry	Schuler
Bowser	Gladeck	Miller	Semmel
Brandt	Godshall	Moehlmann	Serafini
Bunt	Greenwood	Mowery	Showers
Burd	Gruppo	Nahill	Sirianni
Civera	Hagarty	Noye	Smith, B.
Clymer	Hasay	Peterson	Smith, L. E.
Cornell	Hayes	Phillips	Snyder, D. W.
Coy	Herman	Piccola	Snyder, G. M.
DeVerter	Hershey	Pitts	Spencer
Davies	Honaman	Pott	Spitz
Dietz	Jackson	Punt	Stairs
Dininni	Johnson	Reber	Swift
Dorr	Lashinger	Reinard	Taylor, E. Z.
Fargo	Lehr	Robbins	Vroon
Flick	Levi	Rudy	Wass

Foster, W. W.	McClatchy	Ryan	Weston
Foster, Jr., A.	Mackowski	Salvatore	Wilson
Freind	Madigan	Saurman	Wogan
Fryer	Manmiller		

NAYS—113

Afflerbach	Deal	Livengood	Richardson
Alderette	Dombrowski	Lloyd	Rieger
Arty	Donatucci	Lucyk	Rybak
Baldwin	Duffy	McCall	Saloom
Barber	Durham	McHale	Seventy
Battisto	Evans	McIntyre	Steighner
Belardi	Fattah	McMonagle	Stewart
Belfanti	Fee	McVerry	Stuban
Blaum	Fischer	Maiale	Sweet
Book	Freeman	Manderino	Taylor, F. E.
Boyes	Gallagher	Markosek	Telek
Broujos	Gamble	Mayernik	Tigue
Burns	Gannon	Michlovic	Trello
Caltagirone	George	Micozzic	Truman
Cappabianca	Gruitza	Miscevich	Van Horne
Carn	Haluska	Morris	Wachob
Cawley	Hoefel	Mrkonc	Wambach
Cessar	Hutchinson	Murphy	Wargo
Clark	Itkin	O'Donnell	Wiggins
Cohen	Jarolin	Olasz	Williams
Colafella	Kasunic	Oliver	Wozniak
Cole	Kosinski	Perzel	Wright, D. R.
Cordisco	Kowalyshyn	Petrarca	Wright, J. L.
Coslett	Kukovich	Petrone	Wright, R. C.
Cowell	Laughlin	Pievsky	Zwikl
Deluca	Lescovitz	Pistella	
DeWeese	Letterman	Pratt	Irvis,
Daley	Levin	Preston	Speaker
Dawida	Linton	Rappaport	

NOT VOTING—6

Beloff	Grieco	Kennedy	O'Brien
Cimini	Harper		

EXCUSED—2

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

The SPEAKER. The Chair would point out to the gentleman, Mr. Foster, that the House has now confirmed Caesar's commentaries, "Omnia Galia in tres partes devisa est."

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

Mr. A. C. FOSTER offered the following amendments No. A2311:

Amend Title, page 1, line 22, by inserting after "EMPLOYEES;"

prohibiting retaliation against certain employees;
Amend Sec. 4, page 3, line 23, by striking out "A SECTION" and inserting

sections
Amend Bill, page 8, by inserting between lines 20 and 21
Section 2216. Unfair Practices.—No employe organization, nor its agents or representatives, which represent the employes of the Commonwealth or any board, commission, department, agency or instrumentality thereof, shall retaliate either overtly or covertly against any individual employe who chooses to report to his work station during a strike. This prohibition shall include, but not be limited to, the imposition of a fine upon any individual so acting.

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

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

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

Amendment A2311 speaks to the matter of what I regard as an eminently unfair labor practice. I have evidence in a letter before me that during the last Commonwealth strike there were a number of Commonwealth employees who reported to their work stations during that strike, and for doing so they received a letter from their union advising them of retaliatory measures taken against them - that they would be placed in bad standing; they would be deprived of any opportunity to seek union office for a period of 1 year; and in my estimation, the most unfair blow of all, fined \$25 or some nominal sum for reporting to work. I cannot believe anyone could be fined for reporting to work. I think it is a travesty of justice.

The SPEAKER. Is the gentleman, Mr. DeVerter, seeking attention from the Chair? Apparently not.

On the Foster amendment, the Chair recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Mr. Speaker, this is a great amendment for union lawyers and management lawyers. It prohibits either overt or covert retaliation.

Now, what covert retaliation is is something that can take an awful lot of court cases to figure out. It will consume an awful lot of union dollars. It will consume an awful lot of Pennsylvania management dollars. It will be very, very expensive to all sides. It will tie everybody up in litigation endlessly. I would think we all have better things to do than to get involved in all the endless litigation this amendment will produce. I would urge a "no" vote on this amendment.

The SPEAKER. The Chair recognizes the gentleman, Mr. Foster, for the second time.

Mr. A. C. FOSTER. Mr. Speaker, I yielded the floor the last time because I thought I heard someone rising to a point of order, but I am perfectly willing to consider this my second time.

The SPEAKER. The Chair stands corrected. The gentleman is correct. The Chair did not realize he had been interrupted, so this will be a continuation of his first time at the microphone.

Mr. A. C. FOSTER. Mr. Speaker, the amendment, I think, goes to the very heart of fair play. I do not think anyone should be penalized and above all fined, and my language is rather explicit on that point. "This prohibition shall include, but not be limited to, the imposition of a fine upon any individual so acting." I say to my colleagues that I can say something in respect to any organization's right to make decisions, disciplinary decisions, but I would say this, that when anyone seeks employment with this Commonwealth, that person's primary loyalty is to the Commonwealth and to those citizens of the Commonwealth who pay that employee's taxes, and if that person chooses to report to work and honor his commitment to the taxpayers of this Commonwealth, he should not be fined for reporting to work. I cannot believe that this was

ever done, but I have a letter that I can show anyone who wishes that it was done. I do not think it should ever be done again in this Commonwealth, and I ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

On the Foster amendment, the Chair recognizes the gentleman from Allegheny, Mr. Cowell.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, two things. First, we should not be left with the impression that what we are talking about in this amendment is illegal strikes. The gentleman's amendment would address a situation where a strike occurred among public employees in a perfectly legal fashion under the provisions of the appropriate State law in our case. So we are not talking about an outlaw-type strike; we are talking about a strike that is provided, is sanctioned, by law.

Secondly, although the gentleman has tended to focus on the issue where an employee is fined by his representative organization, his union, he noted earlier that there have been other circumstances and his amendment would cover other circumstances that are much broader. For instance, this amendment would preclude the right of a union to determine who could or who could not, under some circumstances, run for union office. I do not think that through this kind of language or any similar language we ought to intervene and we ought to tell unions that we will decide for them that certain individuals may or may not run for union office, for instance.

I think that as Representative Cohen has suggested, the language is terribly broad. When we speak about certain types of retaliation, it might well take the form of people simply not talking to one another or not talking to the affected employee. I certainly do not think we want to see Commonwealth dollars, management dollars in our case, eaten up by paying attorneys, as Representative Cohen has suggested, to try to find out what this language really means. The best thing for us to do is to avoid that by defeating the amendment.

The SPEAKER. The Chair thanks the gentleman.

MOTION TO ADJOURN

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

Mr. DeVERTER. Mr. Speaker, I rise for other than discussion on the amendment; for a motion, sir.

The SPEAKER. What is the purpose of the gentleman's motion?

Mr. DeVERTER. Mr. Speaker, if I may, prior to placing the motion, it is very apparent to anyone who is still awake that it is very early in the morning. Over the years many of us have found that this body does its worst legislative work at this hour. I have not been known to just arbitrarily rise to the mike and make irrational motions or anything of that nature, but I at this point move that this House do now adjourn until later today as you may deem the hour appropriate, Mr. Speaker, to continue any further legislative business that should come before this body before we adjourn for the week.

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

The SPEAKER. The gentleman, Mr. DeVerter, has moved that the House do now adjourn subject to recall by the Speaker. That motion is only debatable by the majority and minority leaders. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I know that everyone is anxious to get home. We are trying to get them home. There are just several pieces of legislation that are "must" pieces of legislation; several of them follow this bill. Every amendment so far has been lost. As long as they continue to be offered, I guess we will have to be here, but I suggest that we vote against the adjournment motion to complete our business.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I do not understand yet why we had to take up this particular bill tonight. As I said earlier, it was not on our calendar for voting, it was not on the schedule of things to be considered, and I am torn at this moment, because I agree with Mr. Manderino that there are things that we have to do tonight so that we can get out of here, but I also agree with Mr. DeVerter. The other work that we have to do I do not believe is going to take long.

I would like Mr. DeVerter, if he would listen to me, to consider amending his motion to putting this particular bill on the table until such time as we have disposed of these other matters that are scheduled for a vote, at which time the gentleman's motion would then be made to adjourn so that we can take this turkey after some sleep. But I agree with Mr. Manderino that some of these other things we really should do prior to leaving. I do not know whether Mr. DeVerter agrees, and if he does not agree with that, then I agree with him and we should go home for the night.

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

Mr. DeVERTER. Mr. Speaker, it is not often that I go against the wishes of the leader of the Republican Caucus; however—and it is apparent, you know, what you all want to do—the problem many of us have, I believe, is to be faced with supposedly being in our districts tomorrow and we will not be—

The SPEAKER. Would the gentleman yield.

The Chair regrets that it must interrupt the gentleman, but the gentleman may not debate the motion. He may answer the minority leader, yes, that he will amend, or no, he will not, but he may not debate it.

Mr. DeVERTER. Well, Mr. Speaker, I would suggest that I not amend the motion and that we adjourn this House until such time as the Speaker deems we should be recalled.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader, on the motion.

Mr. MANDERINO. Mr. Speaker, I ask for a negative vote.

The SPEAKER. On the motion to adjourn submitted to the floor of this House by the gentleman, Mr. DeVerter, those in favor of adjournment subject to recall of the Speaker will vote "aye"; those opposed will vote "no."

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

The following roll call was recorded:

YEAS—80

Angstadt	Foster, Jr., A.	McClatchy	Robbins
Armstrong	Freind	McVerry	Ryan
Book	Fryer	Mackowski	Salvatore
Bowser	Gallen	Madigan	Saurman
Brandt	Gannon	Marmion	Scheetz
Bunt	Geist	Merry	Schuler
Burd	Gladeck	Miller	Semmel
Cessar	Godshall	Moehlmann	Sirianni
Clymer	Greenwood	Mowery	Smith, B.
Cornell	Gruppo	Nahill	Smith, L. E.
Coslett	Hagarty	Noye	Snyder, D. W.
DeVerter	Hasay	O'Brien	Snyder, G. M.
Davies	Hayes	Perzel	Spencer
Dietz	Hershey	Peterson	Spitz
Dininni	Jackson	Petrone	Stairs
Dorr	Johnson	Phillips	Swift
Durham	Kennedy	Piccola	Taylor, E. Z.
Fargo	Lashinger	Pitts	Wass
Flick	Lehr	Pott	Wilson
Foster, W. W.	Levi	Reinard	Wogan

NAYS—112

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

NOT VOTING—9

Beloff	Gruitza	McIntyre	Vroon
Cimini	Harper	Maiale	Wright, R. C.
Grieco			

EXCUSED—2

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

CONSIDERATION OF SB 308 CONTINUED

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

The SPEAKER. The Chair recognizes, for the second time on the Foster amendment, the gentleman, Mr. Foster.

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

At this point I would like to just ask each member one rhetorical question: Can you, in your heart and conscience, agree that anyone should be fined for reporting to work? I do not think so. I ask you to support the amendment.

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

The following roll call was recorded:

YEAS—79

Armstrong	Fryer	Madigan	Salvatore
Book	Gallen	Manmiller	Saurman
Bowser	Geist	Marmion	Scheetz
Brandt	Gladeck	Merry	Schuler
Broujos	Godshall	Miller	Semmel
Bunt	Greenwood	Moehlmann	Sirianni
Burd	Gruppo	Mowery	Smith, B.
Clymer	Hagarty	Nahill	Smith, L. E.
Cornell	Hasay	Noye	Snyder, D. W.
Coslett	Hayes	O'Brien	Snyder, G. M.
DeVerter	Herman	Perzel	Spencer
Davies	Hershey	Peterson	Spitz
Dietz	Honaman	Piccola	Stairs
Dininni	Jackson	Pitts	Swift
Dorr	Johnson	Pott	Taylor, E. Z.
Fargo	Kennedy	Punt	Vroon
Flick	Lehr	Reber	Wass
Foster, W. W.	Levi	Reinard	Wogan
Foster, Jr., A.	McClatchy	Robbins	Wright, J. L.
Freind	Mackowski	Ryan	

NAYS—115

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

NOT VOTING—7

Beloff	Cole	Harper	Wilson
Cimini	Grieco	McIntyre	

EXCUSED—2

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

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

Mr. FREIND offered the following amendments No. A2341:

Amend Sec. 4, page 3, line 23, by striking out "A SECTION" and inserting

sections

Amend Bill, page 8, by inserting between lines 20 and 21

Section 2216. Withholding of Compensation for Political Contributions Prohibited.—It shall be illegal for the Commonwealth or an employe organization to withhold or deduct or cause the withholding or deduction of any portion of the compensation due any employe or member for the purpose of making a contribution or expenditure for a political purpose as defined in the act of June 3, 1937 (P.L.1333, No.320), known as the "Pennsylvania Election Code," unless the prior written consent of such employe is first obtained. Said consent shall be given on a form prescribed or approved by the Secretary of the Commonwealth and unless such withholding or deduction is made in accordance with the following requirements:

(1) the form shall advise the employe of his or her right to revoke such consent at any time which revocation shall be effective thirty (30) days thereafter and shall specify maximum annual amount of any deduction so authorized and the date and duration of the consent which shall not exceed two (2) years;

(2) the employe shall be provided with an executed copy of the consent form;

(3) any contribution made pursuant to this subsection shall be transmitted to a political committee which is established and administered by an unincorporated association in which the contributor is a member and which is designated on the consent form as authorized to receive such contribution. Any person or unincorporated association violating this section is guilty of a misdemeanor and upon conviction shall be sentenced to undergo imprisonment for not more than one (1) year or to pay a fine of not more than one thousand dollars (\$1,000), or both.

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

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

Mr. FREIND. Thank you, Mr. Speaker.

I think it is pretty obvious by the votes on the amendments that the House tonight will adopt agency shop. This amendment does nothing to deter that. It would have nothing to do with agency shop. The problem, however, with the bill that we have before us is that it contains a negative checkoff, an illegal negative checkoff, outlawed by Federal law, outlawed by the courts. What a negative checkoff is is simply this: The union can cause to be withheld money from your dues. In fact it uses a portion of that for political purposes, the only way that you can get it back is for you to personally contact the union and request a pro rata return of that amount of

your dues or your withholding that was used for political purposes.

Now, I do not think that is in the best interest not of the union leadership but of the rank and file. I think that every individual, whether or not he is a member of a union, every individual has the right to make a personal decision as to whether or not he wants to make a political contribution.

What this amendment does is simply this: It says that no money can be withheld from your pay for political purposes unless you agree to it; you agree to it in writing; you agree how much money will be deducted from your pay. If you want to stop that, you must give 30 days' notice to stop that deduction. That signed agreement—and you have to be given a copy of it—is good for 2 years. If in fact you want to continue after 2 years to have this money taken out of your pay for political purposes, all you have to do is execute another agreement.

This provision is identical to provisions that have three times been reported out of the House State Government Committee - once when it was controlled by the Democrats and for the last two terms. Last term when it was reported out, it was reported out with bipartisan support. For example, my good friend and colleague, Representative Cowell, supported it.

It does nothing to agency shop. All that this insures is that each individual has a right to make a decision where his political contributions are going to go. I really cannot see any reason whatsoever to oppose this, and I would ask for your support.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. COHEN. Mr. Speaker, as time has gone on, the State Government Committee has fully understood the implications of it. The last time it was considered, the State Government Committee rejected it. This is an amendment for endless paperwork every 2 years. We do not need the paperwork, neither do the unions nor the State, and I urge a "no" vote.

MOTION TO TABLE

The SPEAKER. On the question, the Chair recognizes the gentleman from Delaware, Mr. Gannon.

Mr. GANNON. Mr. Speaker, I rise reluctantly, because I have opposed the amendments to this bill and in all likelihood will support the bill, but I resent the fact that this bill has been brought up at 10 of 4 in the morning, without any notice to our leadership and no notice to our members.

The SPEAKER. The gentleman is tired and sleepy, and if he thinks it is 10:04—

Mr. GANNON. I want to make a motion, Mr. Speaker.

The SPEAKER. If you think it is 10:04, you had better reconsider your motion.

Mr. GANNON. I mean 10 of 4. Would you correct the record?

The SPEAKER. Fine. Now the Chair recognizes the gentleman.

Mr. GANNON. Or 3:50, if you want to be more accurate, a.m., eastern daylight saving time.

Mr. Speaker, I do not think, in consideration of the other members, we are in any condition to consider this what I would consider very serious legislation. I know there are other matters that have to come before the House. I would respectfully ask the members to support a motion that this bill and its amendments be tabled until later today or whenever this bill could be brought up in the ordinary course of business. But I do resent the fact that this has been brought up without notice to the membership. I did not know this bill was going to be brought up today, and now I find out from Mr. Ryan our leadership did not know it was going to be brought up today, and I would ask that we simply put this off temporarily. I do not think this is a more pressing matter than the other issues that will come before this body this morning, but I think this is something that can be put off temporarily, Mr. Speaker, and I would make a motion that this bill and its amendments be tabled.

The SPEAKER. The gentleman, Mr. Gannon, is advised that the gentleman, Mr. Letterman, is not reduced in size because it is 3:54.

The question is on the motion to table the bill, together with the amendment offered.

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

The following roll call was recorded:

YEAS—86

Angstadt	Foster, Jr., A.	Mackowski	Salvatore
Armstrong	Fryer	Madigan	Saurman
Book	Gallen	Manmiller	Scheetz
Bowser	Gannon	Marmion	Schuler
Brandt	Geist	Merry	Semmel
Bunt	Gladeck	Miller	Serafini
Burd	Greenwood	Moehlmann	Sirianni
Cawley	Gruppo	Mowery	Smith, B.
Cessar	Hagarty	Nahill	Smith, L. E.
Clymer	Hasay	O'Brien	Snyder, D. W.
Cornell	Hayes	Perzel	Snyder, G. M.
Coslett	Herman	Peterson	Spencer
DeVerter	Hershey	Phillips	Spitz
Davies	Honaman	Piccola	Stairs
Dietz	Jackson	Pitts	Swift
Dininni	Johnson	Pott	Taylor, E. Z.
Dombrowski	Kennedy	Punt	Vroon
Dorr	Lashinger	Reber	Wass
Durham	Lehr	Reinard	Wilson
Fargo	Levi	Robbins	Wogan
Flick	McClatchy	Ryan	Wright, R. C.
Foster, W. W.	McVerry		

NAYS—103

Afflerbach	Evans	Lucyk	Rybak
Alderette	Fattah	McCall	Saloom
Baldwin	Fee	McHale	Seventy
Barber	Fischer	McMonagle	Showers
Battisto	Freeman	Manderino	Steighner
Belardi	Gallagher	Markosek	Stewart
Belfanti	Gamble	Mayernik	Stuban
Blaum	George	Michlovic	Sweet
Boyes	Godshall	Micozzie	Taylor, F. E.
Broujos	Gruitza	Miscevich	Telek
Burns	Haluska	Morris	Tigue
Caltagirone	Hoeffel	Mrkonic	Trello
Carn	Hutchinson	Murphy	Truman

Civera	Itkin	O'Donnell	Van Horne
Clark	Jarolin	Olasz	Wachob
Cohen	Kasunic	Oliver	Wambach
Colafella	Kosinski	Petrarca	Wargo
Cole	Kowalshyn	Petrone	Weston
Cowell	Kukovich	Pievsky	Wiggins
Coy	Laughlin	Pistella	Williams
Deluca	Lescovitz	Pratt	Wozniak
DeWeese	Letterman	Preston	Wright, D. R.
Daley	Levin	Rappaport	Zwikl
Dawida	Linton	Richardson	
Deal	Livengood	Rieger	Irvis,
Donatucci	Lloyd	Rudy	Speaker
Duffy			

NOT VOTING—12

Arty	Cimini	Grieco	Maiale
Beloff	Cordisco	Harper	Noye
Cappabianca	Freind	McIntyre	Wright, J. L.

EXCUSED—2

Klingaman Stevens

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

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

The following roll call was recorded:

YEAS—84

Angstadt	Gallen	Manniller	Saurman
Armstrong	Geist	Marmion	Scheetz
Book	Gladeck	Merry	Schuler
Boyes	Godshall	Miller	Semmel
Brandt	Greenwood	Mochlmann	Serafini
Bunt	Gruppo	Mowery	Sirianni
Burd	Hagarty	Nahill	Smith, B.
Cawley	Hayes	Noye	Smith, L. E.
Cessar	Herman	O'Brien	Snyder, D. W.
Clymer	Hershey	Perzel	Snyder, G. M.
Cornell	Honaman	Peterson	Spencer
DeVerter	Jackson	Phillips	Spitz
Davies	Johnson	Piccola	Stairs
Dietz	Kennedy	Pitts	Swift
Dininni	Lashinger	Pott	Taylor, E. Z.
Dorr	Lehr	Punt	Vroon
Fargo	Levi	Reber	Wass
Fischer	McClatchy	Reinard	Weston
Foster, W. W.	McVerry	Robbins	Wilson
Foster, Jr., A.	Mackowski	Ryan	Wogan
Freind	Madigan	Salvatore	Wright, J. L.

NAYS—108

Afflerbach	Dombrowski	Linton	Rieger
Alderette	Donatucci	Livengood	Rudy
Arty	Duffy	Lloyd	Rybak
Baldwin	Durham	Lucyk	Saloom
Barber	Evans	McCall	Seventy
Battisto	Fattah	McHale	Showers
Belardi	Fee	McMonagle	Steighner
Belfanti	Freeman	Manderino	Stewart
Blaum	Fryer	Markosek	Stuban
Broujos	Gallagher	Mayernik	Sweet
Burns	Gamble	Michlovic	Taylor, F. E.
Caltagirone	Gannon	Micozzie	Telek
Cappabianca	George	Miscevich	Tigue
Carn	Gruitza	Morris	Trello
Civera	Haluska	Mrkonic	Truman
Clark	Hasay	Murphy	Van Horne
Cohen	Hoeffel	O'Donnell	Wachob
Colafella	Hutchinson	Olasz	Wambach
Cole	Itkin	Oliver	Wargo
Cordisco	Jarolin	Petrarca	Wiggins

Coslett	Kasunic	Petrone	Williams
Cowell	Kosinski	Pievsky	Wozniak
Coy	Kowalshyn	Pistella	Wright, R. C.
Deluca	Kukovich	Pratt	Zwikl
DeWeese	Laughlin	Preston	
Daley	Lescovitz	Rappaport	Irvis,
Dawida	Letterman	Richardson	Speaker
Deal	Levin		

NOT VOTING—9

Beloff	Flick	Harper	Maiale
Bowser	Grieco	McIntyre	Wright, D. R.
Cimini			

EXCUSED—2

Klingaman Stevens

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

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

The SPEAKER. 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?

CONSTITUTIONAL POINT OF ORDER

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

Mr. NOYE. Thank you, Mr. Speaker.

Mr. Speaker, I rise to make a motion—and I call your attention to Article III, section 1, of the Constitution—and raise the question of constitutionality in that this bill, when it was introduced into the State Government Committee, was amended, and from the original intent of the bill the amendment was placed in it which is really two separate items, and the original purpose of the bill was changed drastically by the amendment.

Under Article III, section 1, of the Constitution, I quote: "No law shall be passed except by bill, and no bill shall be so altered or amended, on its passage through either House, as to change its original purpose." I think this action by the committee does just that point.

The SPEAKER. The Chair thanks the gentleman.

On the question,
Will the House sustain the constitutionality of the bill?

The SPEAKER. On the question of constitutionality, the Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, very briefly, both agency shop and the contents of the original bill find their way into the Administrative Code of this Commonwealth. Each is an amendment. This is something that we have done time and time again, and in bills that we have considered today and bills that we are yet to consider today, we have done the same thing. I ask for a negative vote.

The SPEAKER. The question of constitutionality is for decision of the floor of the House.

Those who believe the bill to be constitutional will vote "aye"; those who believe the bill to be unconstitutional will vote "no."

On the question recurring,
Will the House sustain the constitutionality of the bill?

The following roll call was recorded:

YEAS—141

Afflerbach	Durham	Lloyd	Serafini
Alderette	Evans	Lucyk	Seventy
Angstadt	Fattah	McCall	Showers
Arty	Fee	McHale	Smith, B.
Baldwin	Fischer	McMonagle	Snyder, D. W.
Barber	Freeman	McVerry	Spitz
Battisto	Freind	Manderino	Stairs
Belardi	Fryer	Markosek	Steighner
Belfanti	Gallagher	Mayernik	Stewart
Blaum	Gamble	Michlovic	Stuban
Book	Gannon	Micozzie	Sweet
Boyes	Geist	Miscevich	Taylor, E. Z.
Broujos	George	Morris	Taylor, F. E.
Bunt	Gladeck	Mrkonic	Telek
Burns	Greenwood	Murphy	Tigue
Caltagirone	Gruitza	O'Donnell	Trelo
Cappabianca	Gruppo	Olasz	Truman
Carn	Haluska	Oliver	Van Horne
Cawley	Hasay	Perzel	Wachob
Cessar	Hershey	Petrarca	Wambach
Civiera	Hoefel	Petrone	Wargo
Clark	Hutchinson	Phillips	Wass
Cohen	Itkin	Pievsky	Weston
Colafella	Jarolin	Pistella	Wiggins
Cole	Johnson	Pott	Williams
Cordisco	Kasunic	Pratt	Wilson
Cowell	Kosinski	Preston	Wogan
Coy	Kowalshyn	Rappaport	Wozniak
Deluca	Kukovich	Richardson	Wright, D. R.
DeWeese	Lashinger	Rieger	Wright, J. L.
Daley	Laughlin	Rudy	Wright, R. C.
Dawida	Lescovitz	Rybak	Zwinkl
Deal	Letterman	Saloom	
Dombrowski	Levin	Scheetz	Irvis,
Donatucci	Linton	Schuler	Speaker
Duffy	Livengood	Semmel	

NAYS—51

Armstrong	Flick	Mackowski	Punt
Bowser	Foster, W. W.	Madigan	Reber
Brandt	Foster, Jr., A.	Manmiller	Reinard
Burd	Gallen	Marmion	Robbins
Clymer	Godshall	Merry	Ryan
Cornell	Hagarty	Miller	Salvatore
Coslett	Hayes	Moehlmann	Saurman
DeVerter	Herman	Mowery	Sirianni
Davies	Honaman	Nahill	Smith, L. E.
Dietz	Jackson	Noye	Snyder, G. M.
Dininni	Kennedy	Peterson	Spencer
Dorr	Lehr	Piccola	Vroon
Fargo	Levi	Pitts	

NOT VOTING—9

Beloff	Harper	McIntyre	O'Brien
Cimini	McClatchy	Maiale	Swift
Grieco			

EXCUSED—2

Klingaman	Stevens
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The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the bill was sustained.

On the question recurring,
Shall the bill pass finally?

CONSTITUTIONAL POINT OF ORDER

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

Mr. GEIST. Thank you, Mr. Speaker.

To follow up the original comments in the very beginning, I would like to raise the constitutional question. Article III, section 3, of the Constitution states, "No bill shall be passed containing more than one subject...." I would like a vote on the constitutionality, please.

On the question,
Will the House sustain the constitutionality of the bill?

The SPEAKER. Before the gentleman asks the question, the gentleman may question the constitutionality under a different section than the gentleman, Mr. Noye, and the gentleman has done so. The question is on constitutionality again.

The Chair recognizes the majority leader, on the question.

Mr. MANDERINO. Mr. Speaker, again, there is one subject matter in the bill, the Administrative Code, and the various sections of the Administrative Code are always recognized by this House as valid amendments.

The SPEAKER. Those who believe the bill to be constitutional will vote "aye"; those who believe it to be unconstitutional will vote "no."

On the question recurring,
Will the House sustain the constitutionality of the bill?

The following roll call was recorded:

YEAS—131

Afflerbach	Duffy	Lucyk	Serafini
Alderette	Durham	McCall	Seventy
Arty	Evans	McHale	Showers
Baldwin	Fattah	McMonagle	Snyder, D. W.
Barber	Fee	McVerry	Spitz
Battisto	Fischer	Manderino	Stairs
Belardi	Freeman	Markosek	Steighner
Belfanti	Freind	Mayernik	Stewart
Blaum	Fryer	Michlovic	Stuban
Boyes	Gallagher	Micozzie	Sweet
Brandt	Gamble	Miscevich	Taylor, F. E.
Broujos	Gannon	Morris	Telek
Burns	George	Mrkonic	Tigue
Caltagirone	Greenwood	Murphy	Trelo
Cappabianca	Gruitza	O'Donnell	Truman
Carn	Gruppo	Olasz	Van Horne
Cawley	Haluska	Oliver	Wachob
Cessar	Hasay	Perzel	Wambach
Civiera	Hoefel	Petrarca	Wargo
Clark	Hutchinson	Petrone	Wass
Cohen	Itkin	Phillips	Weston
Colafella	Jarolin	Pievsky	Wiggins
Cole	Kasunic	Pistella	Williams
Cordisco	Kosinski	Pott	Wilson
Coslett	Kowalshyn	Pratt	Wogan
Cowell	Kukovich	Preston	Wozniak
Coy	Laughlin	Rappaport	Wright, D. R.
Deluca	Lescovitz	Richardson	Wright, J. L.
DeWeese	Letterman	Rieger	Wright, R. C.
Daley	Levin	Rudy	Zwinkl
Dawida	Linton	Rybak	
Deal	Livengood	Saloom	Irvis,

Dombrowski Donatucci	Lloyd	Semmel	Speaker
NAYS—62			
Angstadt	Gallen	Mackowski	Reber
Armstrong	Geist	Madigan	Reinard
Book	Gladeck	Manmiller	Robbins
Bowser	Godshall	Marmion	Ryan
Bunt	Hagarty	Merry	Salvatore
Burd	Hayes	Miller	Scheetz
Clymer	Herman	Mochlmann	Schuler
Cornell	Hershey	Mowery	Sirianni
DeVerter	Honaman	Nahill	Smith, B.
Davies	Jackson	Noye	Smith, L. E.
Dietz	Johnson	O'Brien	Snyder, G. M.
Dininni	Kennedy	Peterson	Spencer
Dorr	Lashingner	Piccola	Swift
Fargo	Lehr	Pitts	Taylor, E. Z.
Foster, W. W.	Levi	Punt	Vroon
Foster, Jr., A.	McClatchy		

NOT VOTING—8			
Beloff	Flick	Harper	Maiale
Cimini	Grieco	McIntyre	Saurman

EXCUSED—2			
Klingaman	Stevens		

The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the bill was sustained.

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—128			
Afflerbach	Dombrowski	Lloyd	Rybak
Alderette	Donatucci	Lucy	Saloom
Angstadt	Duffy	McCall	Serafini
Arty	Durham	McHale	Seventy
Baldwin	Evans	McMonagle	Snyder, D. W.
Barber	Fattah	McVerry	Spitz
Battisto	Fee	Manderino	Stairs
Belardi	Fischer	Markosek	Steighner
Belfanti	Freeman	Mayernik	Stewart
Blaum	Gallagher	Michlovic	Stuban
Boyes	Gamble	Micozzie	Sweet
Broujos	Gannon	Miscevich	Taylor, F. E.
Burns	George	Morris	Telek
Caltagirone	Grieco	Mrkonic	Tigue
Cappabianca	Gruitza	Murphy	Trello
Carn	Gruppo	O'Donnell	Truman
Cawley	Haluska	Olasz	Van Horne
Cimini	Hasay	Oliver	Wachob
Civera	Hoeffel	Perzel	Wambach
Clark	Hutchinson	Petrarca	Wargo
Cohen	Itkin	Petrone	Weston
Colafella	Jarolin	Phillips	Wiggins
Cole	Kasunic	Pjevsky	Williams
Cordisco	Kosinski	Pistella	Wilson
Coslett	Kowalyshyn	Pott	Wogan
Cowell	Kukovich	Pratt	Wozniak
Coy	Lashingner	Preston	Wright, D. R.
Deluca	Laughlin	Punt	Wright, R. C.
DeWeese	Lescovitz	Rappaport	Zwinkl
Daley	Letterman	Richardson	
Davies	Levin	Rieger	Irvis,
Dawida	Linton	Rudy	Speaker
Deal	Livengood		

NAYS—65			
Armstrong	Freind	Madigan	Ryan
Book	Fryer	Manmiller	Salvatore
Bowser	Gallen	Marmion	Saurman
Brandt	Geist	Merry	Scheetz
Bunt	Gladeck	Miller	Schuler
Burd	Godshall	Mochlmann	Semmel
Cessar	Greenwood	Mowery	Showers
Clymer	Hagarty	Nahill	Smith, B.
Cornell	Herman	Noye	Smith, L. E.
DeVerter	Hershey	O'Brien	Snyder, G. M.
Dietz	Honaman	Peterson	Spencer
Dininni	Jackson	Piccola	Swift
Dorr	Johnson	Pitts	Taylor, E. Z.
Fargo	Lehr	Reber	Vroon
Flick	McClatchy	Reinard	Wass
Foster, W. W.	Mackowski	Robbins	Wright, J. L.
Foster, Jr., A.			

NOT VOTING—8			
Beloff	Hayes	Levi	Maiale
Harper	Kennedy	McIntyre	Sirianni

EXCUSED—2			
Klingaman	Stevens		

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

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

* * *

The House proceeded to third consideration of **HB 666, PN 743**, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, adding revised, codified and compiled provisions relating to aviation.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I move that **HB 666, PN 743**, be placed on the tabled calendar.

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

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I move that **HB 666, PN 743**, be removed from the tabled calendar.

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

BILL REREPORTED FROM COMMITTEE**SB 385, PN 1139** (Amended)

By Rep. PIEVSKY

An Act amending Title 24 (Education) and Title 71 (State Government) of the Pennsylvania Consolidated Statutes, adding provisions relating to school subsidies; providing that employers make pickup contributions to the Public School Employees' Retirement System on behalf of school employees; further providing for contribution rates; further providing for the basic contribution rate for members of the State Employees' Retirement System; and suspending temporarily a portion of an act.

APPROPRIATIONS.

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?

**BILL PLACED ON FINAL
PASSAGE POSTPONED CALENDAR**

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

Mr. PIEVSKY. Mr. Speaker, I move that SB 385, PN 1139, be placed upon the final passage postponed calendar.

The SPEAKER. It has been moved by the gentleman, Mr. Pievsky, that SB 385, PN 1139, be placed on the final passage postponed calendar.

On the question,

Will the House agree to the motion?

Motion was agreed to.

REMARKS ON VOTES

The SPEAKER. The Chair recognizes the minority whip for the purpose of correcting the record. The gentleman will state the correction.

Mr. HAYES. Thank you, Mr. Speaker.

I do not believe the electronic roll-call machine recorded my vote on SB 308. I would like the record to show that I want my vote recorded in the negative.

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

The Chair recognizes the gentleman from Cumberland, Mr. Kennedy.

Mr. KENNEDY. Mr. Speaker, I follow Representative Hayes on SB 308 on final passage. My switch failed to work, and I wish, if you will at this late hour, to be recorded in the red vote, the negative. Thank you.

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

PARLIAMENTARY INQUIRY**REMARKS ON VOTE**

The SPEAKER. For what purpose does the gentleman from Cambria, Mr. Stewart, rise?

Mr. STEWART. A point of order or parliamentary inquiry and to correct the record, Mr. Speaker.

The SPEAKER. Would the gentleman start with the third one first, and then we will go from there.

Mr. STEWART. Earlier, when we voted on HB 22, I was unclear about how we suspended the rules to amend a House bill over here on concurrence in Senate amendments. In discussions with the Speaker, I understand that that was done by a motion and a vote. Is that correct?

The SPEAKER. That is correct. The Speaker said, "without objection," and the Speaker took a voice vote, and there was no objection, so it was constitutional and under the rules of the House.

Mr. STEWART. Thank you, Mr. Speaker.

Now to correct the record.

The SPEAKER. The gentleman may proceed.

Mr. STEWART. Because I was unclear on that point, I did not vote on HB 22. I wish the record to reflect that I would have voted in the negative. Thank you.

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

REMARKS ON VOTES

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

Mr. SEMMEL. Mr. Speaker, on SB 308 on final passage, I wish to be recorded in the affirmative. I voted in error.

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

For what purpose does the lady from Susquehanna, Miss Sirianni, rise?

Miss SIRIANNI. I was not recorded on the agency shop bill, SB 308.

The SPEAKER. How would the lady like to be recorded?

Miss SIRIANNI. In the negative.

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

The Chair recognizes the gentleman from Venango, Mr. Levi. For what purpose does the gentleman desire recognition?

Mr. LEVI. Mr. Speaker, I was looking at the tally sheet on SB 308. I find I was not properly recorded. I would like to be noted in the negative, sir.

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

BILL ON FINAL PASSAGE POSTPONED

Agreeable to order,

Dawida	Kukovich	Pratt	Wogan
Deal	Lashingier	Preston	Wozniak
Dietz	Laughlin	Punt	Wright, D. R.
Dininni	Lehr	Rappaport	Wright, J. L.
Dombrowski	Lescovitz	Reber	Wright, R. C.
Donatucci	Letterman	Reinard	Zwilk
Dorr	Levi	Richardson	
Duffy	Levin	Rieger	Irvis,
Durham	Linton	Robbins	Speaker

NAYS—1

Swift

NOT VOTING—6

Beloff	Harper	Maiale	Miller
Clark	McIntyre		

EXCUSED—2

Klingaman Stevens

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

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

REMARKS ON VOTES

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

Mr. RAPPAPORT. Mr. Speaker, I inadvertently voted in the affirmative on SB 877. I would like to be recorded in the negative on that bill.

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

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

Mr. JOHNSON. Mr. Speaker, on SB 308 I was unfortunately recorded in the affirmative. I would like to be recorded in the negative.

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

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, it is my understanding that SB 666 is a vehicle that must move from here this evening.

The SPEAKER. SB 666 is on the calendar and was passed over temporarily. There are amendments by Mr. Pitts, Mr. McClatchy, Mr. Trello, Mr. Hutchinson, Mr. DeLuca, Mr. Dietz, Mr. Cessar, Mr. Showers, and Mr. Stairs.

Mr. MANDERINO. Mr. Speaker, I was confused about HB or SB 666, but SB 666 must move. If there are amendments, let us get to them as quickly as possible.

The SPEAKER. The Chair thanks the gentleman.

CALENDAR CONTINUED
CONSIDERATION OF SB 666 RESUMED

The House resumed consideration of SB 666, PN 748, entitled:

An Act providing for the adoption of capital projects to be financed from current revenues of the Game Fund; itemizing transportation assistance projects to be acquired or constructed by the Department of Transportation together with its estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects; stating the estimated useful life of the project; and making an appropriation.

On the question recurring,

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

Mr. PITTS offered the following amendments No. A2336:

Amend Title, page 1, line 2, by inserting after "Fund" ; itemizing transportation assistance projects to be acquired or constructed by the Department of Transportation together with its estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the project; stating the estimated useful life of the project; making an appropriation; and making repeals.

Amend Bill, page 1, by inserting between lines 4 and 5

CHAPTER I

GAME FUND PROJECTS

Amend Sec. 1, page 1, line 5, by striking out "1" and inserting

101

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

chapter

Amend Sec. 2, page 1, line 8, by striking out "2" and inserting

102

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

103

Amend Sec. 3, page 2, line 5, by striking out "3" and inserting

103

Amend Bill, page 3, by inserting between lines 19 and 20

CHAPTER II

TRANSPORTATION PROJECTS

Section 201. Short title.

This chapter shall be known and may be cited as the Transportation Assistance Supplement to the Capital Budget Act of the 1983-1984 Fiscal Year.

Section 202. Total authorization.

The total authorization for the additional capital projects in the category of transportation assistance projects itemized in section 203 and with respect to which an interest is to be acquired or constructed by the Department of Transportation, its successors or assigns, and to be financed by the incurring of debt, shall be \$1,400,000.

Section 203. Itemization of transportation assistance projects.

Additional capital projects in the category of transportation assistance projects to be constructed or with respect to which an interest is to be acquired by the Department of Transportation, its successors or assigns, and to be financed by the incurring of debt, are hereby itemized, together with their respective estimated financial costs as follows:

Project	Base	Land	Design	Total
---------	------	------	--------	-------

Project Cost	Cost	Cost	Project Cost
(1) Chester County			
(i) Kennett Twp., Hillendale Rd., County Bridge No. 68, West Branch Red Clay Creek, Bridge Replacement, Length			
0.1 Mile...	215,000	15,000	35,000 265,000
(ii) East Bradford Twp., Highland Rd., County Bridge No. 113, Taylors Run, Bridge Replacement, Length			
0.1 Mile...	180,000	5,000	30,000 215,000
(iii) Grove Twp., County Bridge No. 57, New Garden Rd. over East Branch White Clay Creek, Bridge Replacement, Length			
0.1 Mile...	280,000	5,000	30,000 315,000
(iv) McFarlan Rd., T-420 over Octoraro Railroad, Kennett Twp., Bridge Replacement, Length			
0.1 Mile...	200,000	15,000	25,000 240,000
(v) L.R. 15017, New London Twp., Traffic Route 841, Bridge over Hodgson Run, Bridge Replacement, Length			
0.1 Mile...	300,000	15,000	50,000 365,000

Section 204. Debt authorizations.

The Governor, Auditor General and State Treasurer are hereby authorized and directed to borrow, from time to time, in addition to any authorization heretofore or hereafter enacted, on the credit of the Commonwealth, subject to the limitations provided in the act of _____, entitled "An act providing for the capital budget for fiscal year 1983-1984," money not exceeding in the aggregate the sum of \$1,400,000 as may be found necessary to carry out the acquisition and construction of the transportation assistance projects specifically itemized in a Capital Budget.

Section 205. Issue of bonds.

The indebtedness herein authorized shall be incurred from time to time and shall be evidenced by one or more series of general

obligation bonds of the Commonwealth in such aggregate principal amount for each series as the Governor, Auditor General and State Treasurer shall determine, but the latest stated maturity date shall not exceed the estimated useful life of the project being financed as stated in section 206. Revenue derived from bonds issued under the act of December 8, 1982 (P.L.848, No.235), known as the Highway-Railroad and Highway Bridge Capital Budget Act for 1982-1983, may be used to fund the projects set forth in this chapter.

Section 206. Estimated useful life of project.

The General Assembly states that the estimated useful life of the projects heretofore itemized is 30 years.

Section 207. Appropriation.

The net proceeds of the sale of the obligations herein authorized are hereby appropriated from the Capital Facilities Fund to the Department of Transportation in the maximum amount of \$1,400,000 to be used by it exclusively to defray the financial cost of the transportation assistance projects specifically itemized in a Capital Budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay to the Department of Transportation the moneys as required and certified by it to be legally due and payable.

Section 208. Allocation of funds.

Whenever as determined by the Department of Transportation that the full estimated financial costs of the transportation assistance projects itemized in section 203 are not necessary for the proper design, acquisition or construction of the projects, the excess funds no longer required may be allocated to increase the estimated cost of any one or more of the transportation assistance projects specifically itemized in a Capital Budget.

Section 209. Repeal of certain projects.

Section 3(15)(i)(M), (N), (AA) and (DD) of the act of December 8, 1982 (P.L.848, No.235), known as the Highway-Railroad and Highway Bridge Capital Budget Act for 1982-1983, are repealed.

CHAPTER III
EFFECTIVE DATE

Amend Sec. 4, page 3, line 20, by striking out "4" and inserting

301

On the question,

Will the House agree to the amendments?

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

Mr. PITTS. Thank you, Mr. Speaker.

These projects were approved last session in the bridge bill. Unfortunately, due to a drafting error, the word "rehabilitation" was put in instead of "replacement." We have been informed by the department that we have to put this legislation in again, and that is the purpose of it. Thank you, Mr. Speaker.

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—186

Afflerbach	Durham	Lucyk	Rybak
Alderette	Fargo	McCall	Saloom
Angstadt	Fee	McClatchy	Salvatore
Armstrong	Fischer	McHale	Saurman
Arty	Flick	McMonagle	Scheetz
Baldwin	Foster, W. W.	McVerry	Schuler
Barber	Foster, Jr., A.	Mackowski	Semmel
Battisto	Freeman	Madigan	Serafini

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

NAYS—4

Coy	Miscevich	Rudy	Williams
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NOT VOTING—11

Beloff	Fattah	Hoeffel	Maiale
Donatucci	Harper	Levin	Miller
Evans	Herman	McIntyre	

EXCUSED—2

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

On the question recurring,

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

Mr. McClATCHY offered the following amendments No. A2306:

Amend Title, page 1, line 2, by inserting after "Fund" ; itemizing a bridge replacement project to be acquired or constructed by the Department of Transportation together with its estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the project; stating the estimated useful life of the project; and making an appropriation

Amend Bill, page 1, by inserting between lines 4 and 5

CHAPTER I
GAME FUND PROJECTS

Amend Sec. 1, page 1, line 5, by striking out "1" and inserting

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

chapter

Amend Sec. 2, page 1, line 8, by striking out "2" and inserting

102

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

103

Amend Sec. 3, page 2, line 5, by striking out "3" and inserting

103

Amend Bill, page 3, by inserting between lines 19 and 20

CHAPTER II
BRIDGE PROJECTS

Section 201. Short title.

This chapter shall be known and may be cited as the Bridge Replacement Supplement to the Capital Budget Act of the 1983-1984 Fiscal Year.

Section 202. Total authorization.

The total authorization for the additional capital projects in the category of bridge replacement projects itemized in section 203 and with respect to which an interest is to be acquired or constructed by the Department of Transportation, its successors or assigns, and to be financed by the incurring of debt, shall be \$255,000.

Section 203. Itemization of bridge replacement projects.

Additional capital projects in the category of bridge replacement projects to be constructed or with respect to which an interest is to be acquired by the Department of Transportation, its successors or assigns, and to be financed by the incurring of debt, are hereby itemized, together with their respective estimated financial costs as follows:

Project	Base Project Allocation	Land Cost	Design and Contingency Allocation	Total Project Allocation
(1) Montgomery County (i) L.R.46043, Franconia Twp., Allentown Rd., Bridge over Skiptack Creek, South of the Boro. of Souderton, Bridge Replacement, Length 0.1 Mile.	\$225,000		\$30,000	\$255,000

Section 204. Debt authorizations.

The Governor, Auditor General and State Treasurer are hereby authorized and directed to borrow, from time to time, in addition to any authorization heretofore or hereafter enacted, on the credit of the Commonwealth, subject to the limitations provided in the act of _____, entitled "An act providing for the capital budget for fiscal year 1983-1984," money not exceeding in the aggregate the sum of \$255,000 as may be found necessary to carry out the acquisition and construction of the bridge replacement projects specifically itemized in a Capital Budget.

Section 205. Issue of bonds.

The indebtedness herein authorized shall be incurred from time to time and shall be evidenced by one or more series of general obligation bonds of the Commonwealth in such aggregate principal amount for each series as the Governor, Auditor General and State Treasurer shall determine, but the latest stated maturity date shall not exceed the estimated useful life of the project being financed as stated in section 206.

Section 206. Estimated useful life of project.

The General Assembly states that the estimated useful life of the projects heretofore itemized is 30 years.
Section 207. Appropriation.

The net proceeds of the sale of the obligations herein authorized are hereby appropriated from the Capital Facilities Fund to the Department of Transportation in the maximum amount of \$255,000 to be used by it exclusively to defray the financial cost of the bridge replacement projects specifically itemized in a Capital Budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay to the Department of Transportation the moneys as required and certified by it to be legally due and payable.

Section 208. Allocation of funds.

Whenever as determined by the Department of Transportation that the full estimated financial costs of the bridge replacement projects itemized in section 203 are not necessary for the proper design, acquisition or construction of the projects, the excess funds no longer required may be allocated to increase the estimated cost of any one or more of the bridge replacement projects specifically itemized in a Capital Budget.

CHAPTER III
EFFECTIVE DATE

Amend Sec. 4, page 3, line 20, by striking out "4" and inserting

301

On the question,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—182

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

Dininni	Lescovitz	Richardson	Wright, R. C.
Dombrowski	Letterman	Rieger	Zwinkl
Dorr	Levi	Robbins	
Duffy	Livengood	Ryan	Irvis,
Durham	Lloyd	Rybak	Speaker

NAYS—11

Carn	Hoeffel	Lucyk	Rudy
Coy	Kukovich	Mayernik	Steighner
Daley	Levin	Miscevich	

NOT VOTING—8

Beloff	Fattah	Linton	Maiale
Donatucci	Harper	McIntyre	Miller

EXCUSED—2

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

On the question recurring,

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

Mr. TRELLO offered the following amendments No. A2333:

Amend Sec. 2, page 1, line 14, by striking out "\$4,603,420" and inserting

\$4,878,420

Amend Sec. 3, page 2, by inserting between lines 11 and 12

(1) Allegheny County

(i) Reconstruction of the Ewing Mill Road - Robbin-son Twp.

\$275,000

Amend Sec. 3, page 2, line 12, by striking out "(1)" and inserting

(2)

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

(3)

Amend Sec. 3, page 2, line 21, by striking out "(3)" and inserting

(4)

Amend sec. 3, page 2, line 25, by striking out "(4)" and inserting

(5)

Amend Sec. 3, page 2, line 30, by striking out "(5)" and inserting

(6)

Amend Sec. 3, page 3, line 4, by striking out "(6)" and inserting

(7)

Amend Sec. 3, page 3, line 9, by striking out "(7)" and inserting

(8)

On the question,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—172

Afflerbach	Duffy	Lucyk	Rieger
Alderette	Durham	McCall	Ryan
Angstadt	Evans	McClatchy	Rybak
Armstrong	Fee	McHale	Saloom
Arty	Fischer	McMonagle	Salvatore
Baldwin	Flick	McVerry	Saurman
Barber	Foster, Jr., A.	Mackowski	Scheetz

Battisto	Freeman	Madigan	Semmel
Belardi	Freind	Manderino	Serafini
Belfanti	Fryer	Manmiller	Seventy
Blaum	Gallagher	Markosek	Showers
Book	Gallen	Mayernik	Smith, B.
Bowser	Gamble	Michlovic	Snyder, D. W.
Brandt	Geist	Micozzie	Snyder, G. M.
Broujos	George	Miscevich	Spitz
Bunt	Gladeck	Moehlmann	Stairs
Burd	Grieco	Morris	Steighner
Burns	Gruitza	Mowery	Stewart
Caltagirone	Gruppo	Mrkonic	Stuban
Cappabianca	Hagarty	Murphy	Sweet
Carn	Haluska	Nahill	Taylor, E. Z.
Cawley	Hasay	Noye	Taylor, F. E.
Cessar	Hayes	O'Brien	Telek
Cimini	Hershey	O'Donnell	Tigue
Civera	Hoefel	Olasz	Trello
Clark	Honaman	Oliver	Truman
Cohen	Hutchinson	Perzel	Van Horne
Colafella	Itkin	Peterson	Vroon
Cole	Jackson	Petrarca	Wachob
Cordisco	Jarolin	Petrone	Wambach
Cornell	Johnson	Phillips	Wass
Coslett	Kasunic	Piccola	Weston
Cowell	Kosinski	Pievsky	Wiggins
Coy	Kowalyszyn	Pistella	Williams
Deluca	Kukovich	Pitts	Wilson
DeWeese	Lashinger	Pott	Wogan
Daley	Laughlin	Pratt	Wozniak
Davies	Lehr	Preston	Wright, D. R.
Dawida	Lescovitz	Punt	Wright, J. L.
Deal	Letterman	Rappaport	Zwinkl
Dietz	Levi	Reber	
Dininni	Linton	Reinard	Irvis,
Dombrowski	Livengood	Richardson	Speaker
Dorr	Lloyd		

NAYS—17

Clymer	Godshall	Levin	Schuler
DeVertter	Greenwood	Marmion	Smith, L. E.
Fargo	Herman	Robbins	Spencer
Foster, W. W.	Kennedy	Rudy	Swift
Gannon			

NOT VOTING—12

Beloff	Fattah	Maiale	Sirianni
Boyes	Harper	Merry	Wargo
Donatucci	McIntyre	Miller	Wright, R. C.

EXCUSED—2

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

On the question recurring,

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

Mr. TRELLO offered the following amendments No. A2334:

Amend Sec. 2, page 1, line 14, by striking out "\$4,603,420" and inserting

\$8,103,420

Amend Sec. 3, page 2, by inserting between lines 11 and 12

(1) Allegheny County

(i) Construction of an off-ramp on I-79 to Airport Parkway West - Robinson Twp.

\$3,500,000

Amend Sec. 3, page 2, line 12, by striking out "(1)" and inserting

(2)

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

(3)

Amend Sec. 3, page 2, line 21, by striking out "(3)" and inserting

(4)

Amend Sec. 3, page 2, line 25, by striking out "(4)" and inserting

(5)

Amend Sec. 3, page 2, line 30, by striking out "(5)" and inserting

(6)

Amend Sec. 3, page 3, line 4, by striking out "(6)" and inserting

(7)

Amend Sec. 3, page 3, line 9, by striking out "(7)" and inserting

(8)

On the question,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—181

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

NAYS—13

DeVerter	Herman	Marmion	Smith, L. E.
Fargo	Kennedy	Robbins	Spencer
Foster, W. W.	Levin	Scheetz	Swift
Greenwood			

NOT VOTING—7

Beloff	Harper	Maiale	Wargo
Donatucci	McIntyre	Rappaport	

EXCUSED—2

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

On the question recurring,

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

Mr. HUTCHINSON offered the following amendments No. A2330:

Amend Title, page 1, line 2, by inserting after "Fund" ; itemizing a tunnel removal project to be acquired or constructed by the Department of Transportation together with its estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the project; stating the estimated useful life of the project; and making an appropriation

Amend Bill, page 1, by inserting between lines 4 and 5

CHAPTER I

GAME FUND PROJECTS

Amend Sec. 1, page 1, line 5, by striking out "1" and inserting

101

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

chapter.

Amend Sec. 2, page 1, line 8, by striking out "2" and inserting

102

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

103

Amend Sec. 3, page 2, line 5, by striking out "3" and inserting

103

Amend Bill, page 3, by inserting between lines 19 and 20

CHAPTER II

TUNNEL PROJECTS

Section 201. Short title.

This chapter shall be known and may be cited as the Tunnel Removal Supplement to the Capital Budget Act of the 1983-1984 Fiscal Year.

Section 202. Total authorization.

The total authorization for the additional capital projects in the category of tunnel removal projects itemized in section 203 and with respect to which an interest is to be acquired or constructed by the Department of Transportation, its successors or assigns, and to be financed by the incurring of debt, shall be \$500,000.

Section 203. Itemization of tunnel removal projects.

Additional capital projects in the category of tunnel removal projects to be constructed or with respect to which an interest is to be acquired by the Department of Transportation, its successors or assigns, and to be financed by the incurring of debt, are hereby itemized, together with their respective estimated financial costs as follows:

Project	Base	Land	Design and	Total
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Project Allocation	Cost	Contingency Allocation	Project Allocation
(1) Westmoreland County			
(i) Tunnel L.R.64111, Station 102 to 90, Tunnel Removal, 14 ft. Clearance, Stone Arch and Rebuild of Road Surface.			\$500,000

Section 204. Debt authorizations.

The Governor, Auditor General and State Treasurer are hereby authorized and directed to borrow, from time to time, in addition to any authorization heretofore or hereafter enacted, on the credit of the Commonwealth, subject to the limitations provided in the act of , entitled "An act providing for the capital budget for fiscal year 1983-1984," money not exceeding in the aggregate the sum of \$500,000 as may be found necessary to carry out the acquisition and construction of the tunnel removal projects specifically itemized in a Capital Budget.

Section 205. Issue of bonds.

The indebtedness herein authorized shall be incurred from time to time and shall be evidenced by one or more series of general obligation bonds of the Commonwealth in such aggregate principal amount for each series as the Governor, Auditor General and State Treasurer shall determine, but the latest stated maturity date shall not exceed the estimated useful life of the project being financed as stated in section 206.

Section 206. Estimated useful life of project.

The General Assembly states that the estimated useful life of the projects heretofore itemized is 30 years.

Section 207. Appropriation.

The net proceeds of the sale of the obligations herein authorized are hereby appropriated from the Capital Facilities Fund to the Department of Transportation in the maximum amount of \$500,000 to be used by it exclusively to defray the financial cost of the tunnel removal projects specifically itemized in a Capital Budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay to the Department of Transportation the moneys as required and certified by it to be legally due and payable.

Section 208. Allocation of funds.

Whenever as determined by the Department of Transportation that the full estimated financial costs of the tunnel removal projects itemized in section 203 are not necessary for the proper design, acquisition or construction of the projects, the excess funds no longer required may be allocated to increase the estimated cost of any one or more of the tunnel removal projects specifically itemized in a Capital Budget.

CHAPTER III

EFFECTIVE DATE

Amend Sec. 4, page 3, line 20, by striking out "4" and inserting

301

On the question,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—178

Afferbach	Duffy	Livengood	Richardson
Alderette	Durham	Lloyd	Rieger
Angstadt	Evans	McCall	Rudy
Armstrong	Fee	McClatchy	Ryan
Arty	Fischer	McHale	Rybak
Baldwin	Flick	McMonagle	Saloom
Barber	Foster, W. W.	McVerry	Salvatore

Battisto	Foster, Jr., A.	Mackowski	Saurman
Belardi	Freeman	Madigan	Scheetz
Belfanti	Freind	Manderino	Schuler
Blaum	Fryer	Manmiller	Semmel
Book	Gallagher	Markosek	Serafini
Bowser	Gallen	Mayernik	Seventy
Boyes	Gamble	Merry	Showers
Brandt	Gannon	Michlovic	Smith, B.
Broujos	Geist	Micozzie	Snyder, D. W.
Bunt	George	Miller	Snyder, G. M.
Burd	Gladeck	Miscevich	Spitz
Burns	Godshall	Moehlmann	Stairs
Caltagirone	Grieco	Morris	Steighner
Cappabianca	Gruitza	Mowery	Stewart
Carn	Gruppo	Mrkonjic	Stuban
Cawley	Hagarty	Murphy	Sweet
Cessar	Haluska	Nahill	Taylor, E. Z.
Cimini	Hasay	O'Brien	Taylor, F. E.
Civera	Hayes	O'Donnell	Telek
Clark	Hershey	Olasz	Tigue
Cohen	Hoefel	Oliver	Trello
Colafella	Honaman	Perzel	Truman
Cole	Hutchinson	Peterson	Van Horne
Cordisco	Itkin	Petrarca	Vroon
Cornell	Jarolin	Petrone	Wachob
Coslett	Johnson	Phillips	Wambach
Cowell	Kasunic	Piccola	Wargo
Coy	Kennedy	Pievsky	Wass
Deluca	Kosinski	Pistella	Weston
DeWeese	Kowalyszyn	Pitts	Wiggins
Daley	Kukovich	Pott	Williams
Davies	Lashinger	Pratt	Wilson
Dawida	Laughlin	Preston	Wogan
Deal	Lehr	Punt	Wozniak
Dietz	Lescovitz	Rappaport	Wright, D. R.
Dombrowski	Letterman	Reber	Wright, R. C.
Donatucci	Levi	Reinard	Zwikl
Dorr	Linton		

NAYS—11

DeVerter	Herman	Marmion	Spencer
Fargo	Jackson	Robbins	Swift
Greenwood	Levin	Smith, L. E.	

NOT VOTING—12

Beloff	Harper	Noye	Irvis,
Clymer	Lucy	Sirianni	Speaker
Dininni	McIntyre	Wright, J. L.	
Fattah	Maiale		

EXCUSED—2

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

On the question recurring,

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

Mr. DeLUCA offered the following amendments No. A2332:

Amend Title, page 1, line 2, by inserting after "Fund" ; itemizing a bridge replacement project to be acquired or constructed by the Department of Transportation together with its estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the project; stating the estimated useful life of the project; and making an appropriation

Amend Bill, page 1, by inserting between lines 4 and 5

CHAPTER I

GAME FUND PROJECTS

Amend Sec. 1, page 1, line 5, by striking out "1" and inserting

101

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

chapter

Amend Sec. 2, page 1, line 8, by striking out "2" and inserting

102

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

103

Amend Sec. 3, page 2, line 5, by striking out "3" and inserting

103

Amend Bill, page 3, by inserting between lines 19 and 20

CHAPTER II

BRIDGE PROJECTS

Section 201. Short title.

This chapter shall be known and may be cited as the Bridge Replacement Supplement to the Capital Budget Act of the 1983-1984 Fiscal Year.

Section 202. Total authorization.

The total authorization for the additional capital projects in the category of bridge replacement projects itemized in section 203 and with respect to which an interest is to be acquired or constructed by the Department of Transportation, its successors or assigns, and to be financed out of the revenues generated by 75 Pa.C.S. § 9902 (relating to imposition of axle tax).

Section 203. Itemization of bridge replacement projects.

Additional capital projects in the category of bridge replacement projects to be constructed or with respect to which an interest is to be acquired by the Department of Transportation, its successors or assigns, are hereby itemized, together with their respective estimated financial costs as follows:

Project	Base Project Allocation	Land Cost	Design and Contingency Allocation	Total Project Allocation
(1) Allegheny County				
(i) State Bridge, Jefferson Heights Bridge, Penn Hills Twp., Bridge deck Replacement.		\$325,000	\$32,000	\$357,000

Section 204. Estimated useful life of project.

The General Assembly states that the estimated useful life of the projects heretofore itemized is 30 years.

Section 205. Appropriation.

The sum of \$357,000 is hereby specifically appropriated from the Highway Bridge Improvement Restricted Account within the Motor License Fund to the Department of Transportation to finance the cost of the bridge replacement projects set forth in section 203.

Section 206. Allocation of funds.

Whenever as determined by the Department of Transportation that the full estimated financial costs of the bridge replacement projects itemized in section 203 are not necessary for the proper design, acquisition or construction of the projects, the excess funds no longer required may be allocated to increase the estimated cost of any one or more of the bridge replacement projects specifically itemized in a Capital Budget.

CHAPTER III
EFFECTIVE DATE

Amend Sec. 4, page 3, line 20, by striking out "4" and inserting

301

On the question,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—178

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

NAYS—15

Armstrong	Greenwood	Marmion	Smith, L. E.
DeVerter	Herman	Merry	Spencer
Fargo	Jackson	Moehlmann	Swift
Foster, W. W.	Madigan	Robbins	

NOT VOTING—8

Beloff	Harper	Levin	Maiale
Donatucci	Hutchinson	McIntyre	Oliver

EXCUSED—2

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

On the question recurring,

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

Mr. DIETZ offered the following amendments No. A2344:

Amend Title, page 1, line 2, by inserting after "Fund" ; itemizing transportation assistance projects to be acquired or constructed by the Department of Transportation together with its estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the project; stating the estimated useful life of the project; and making an appropriation

Amend Bill, page 1, by inserting between lines 4 and 5

CHAPTER I

GAME FUND PROJECTS

Amend Sec. 1, page 1, line 5, by striking out "1" and inserting

101

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

chapter

Amend Sec. 2, page 1, line 8, by striking out "2" and inserting

102

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

103

Amend Sec. 3, page 2, line 5, by striking out "3" and inserting

103

Amend Bill, page 3, by inserting between lines 19 and 20

CHAPTER II

TRANSPORTATION PROJECTS

Section 201. Short title.

This chapter shall be known and may be cited as the Transportation Assistance Supplement to the Capital Budget Act of the 1983-1984 Fiscal Year.

Section 202. Total authorization.

The total authorization for the additional capital projects in the category of transportation assistance projects itemized in section 203 and with respect to which an interest is to be acquired or constructed by the Department of Transportation, its successors or assigns, and to be financed by the incurring of debt, shall be \$950,000.

Section 203. Itemization of transportation assistance projects.

Additional capital projects in the category of transportation assistance projects to be constructed or with respect to which an interest is to be acquired by the Department of Transportation, its successors or assigns, and to be financed by the incurring of debt, are hereby itemized, together with their respective estimated financial costs as follows:

Project	Base Project Cost	Land Cost	Design Cost	Total Project Cost
(1) Huntingdon County Hope-well Twp., L.R.721 T.R. 913 Replacement of Structure Over Shoups Run and Realignment of				

Approaches... \$750,000 \$75,000 \$125,000 \$950,000
Section 204. Debt authorizations.

The Governor, Auditor General and State Treasurer are hereby authorized and directed to borrow, from time to time, in addition to any authorization heretofore or hereafter enacted, on the credit of the Commonwealth, subject to the limitations provided in the act of , entitled "An act providing for the capital budget for fiscal year 1983-1984," money not exceeding in the aggregate the sum of \$950,000 as may be found necessary to carry out the acquisition and construction of the transportation assistance projects specifically itemized in a Capital Budget.

Section 205. Issue of bonds.

The indebtedness herein authorized shall be incurred from time to time and shall be evidenced by one or more series of general obligation bonds of the Commonwealth in such aggregate principal amount for each series as the Governor, Auditor General and State Treasurer shall determine, but the latest stated maturity date shall not exceed the estimated useful life of the project being financed as stated in section 206.

Section 206. Estimated useful life of project.

The General Assembly states that the estimated useful life of the projects heretofore itemized is 30 years.

Section 207. Appropriation.

The net proceeds of the sale of the obligations herein authorized are hereby appropriated from the Capital Facilities Fund to the Department of Transportation in the maximum amount of \$950,000 to be used by it exclusively to defray the financial cost of the transportation assistance projects specifically itemized in a Capital Budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay to the Department of Transportation the moneys as required and certified by it to be legally due and payable.

Section 208. Allocation of funds.

Whenever as determined by the Department of Transportation that the full estimated financial costs of the transportation assistance projects itemized in section 203 are not necessary for the proper design, acquisition or construction of the projects, the excess funds no longer required may be allocated to increase the estimated cost of any one or more of the transportation assistance projects specifically itemized in a Capital Budget.

CHAPTER III

EFFECTIVE DATE

Amend Sec. 4, page 3, line 20, by striking out "4" and inserting

301

On the question,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—179

Table with 4 columns of names: Afflerbach, Alderette, Angstadt, Armstrong, Arty, Baldwin, Barber, Battisto, Belardi, Belfanti, Blaum, Book, Bowser, Boyes, Brandt, Broujos, Bunt, Burns, Caltagirone, Durham, Fargo, Fattah, Fee, Fischer, Flick, Foster, W. W., Foster, Jr., A., Freeman, Gallagher, Gallen, Gamble, Gannon, Geist, George, Gladeck, Godshall, Greenwood, Grieco, Livengood, Lloyd, Lucyk, McCall, McClatchy, McHale, McMonagle, McVerry, Mackowski, Madigan, Manderino, Manmiller, Markosek, Michlovic, Micozzie, Miller, Miscevic, Moehlmann, Morris, Rudy, Ryan, Rybak, Saloom, Salvatore, Saurman, Scheetz, Schuler, Semmel, Serafini, Seventy, Showers, Sirianni, Smith, B., Smith, L. E., Snyder, G. M., Spencer, Spitz, Stairs

Table with 4 columns of names: Cappabianca, Cawley, Cessar, Cimini, Civera, Clark, Clymer, Cohen, Colafella, Cole, Cordisco, Cornell, Coslett, Cowell, Coy, DeLuca, DeVerter, DeWeese, Daley, Davies, Dawida, Deaj, Dietz, Dininni, Dombrowski, Dorr, Duffy, Gruitza, Gruppo, Hagarty, Haluska, Hasay, Hayes, Herman, Hershey, Hoeffel, Honaman, Hutchinson, Itkin, Jackson, Jarolin, Johnson, Kennedy, Kosinski, Kowalyszyn, Kukovich, Lashinger, Laughlin, Lehr, Lescovitz, Letterman, Levi, Linton, Mowery, Mrkonic, Murphy, Nahill, Noye, O'Brien, O'Donnell, Olasz, Oliver, Perzel, Peterson, Petrarca, Phillips, Piccola, Pievsky, Pistella, Pitts, Pott, Pratt, Preston, Punt, Rappaport, Reber, Reinard, Richardson, Rieger, Steighner, Stewart, Stuban, Sweet, Taylor, E. Z., Taylor, F. E., Telek, Tigue, Truman, Van Horne, Vroon, Wachob, Wambach, Wargo, Wass, Weston, Wiggins, Wilson, Wogan, Wozniak, Wright, D. R., Wright, J. L., Zwickl, Irvis, Speaker

NAYS—7

Table with 4 columns of names: Carn, Fryer, Levin, Merry, Robbins, Snyder, D. W., Swift

NOT VOTING—15

Table with 4 columns of names: Beloff, Burd, Donatucci, Evans, Freind, Harper, Kasunic, McIntyre, Maiaale, Marmion, Mayernik, Petrone, Trello, Williams, Wright, R. C.

EXCUSED—2

Table with 2 columns of names: Klingaman, Stevens

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?

Mr. CESSAR offered the following amendments No. A2277:

Amend Title, page 1, line 2, by inserting after "Fund" ; itemizing transportation assistance projects to be acquired or constructed by the Department of Transportation together with its estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the project; stating the estimated useful life of the project; and making an appropriation

Amend Bill, page 1, by inserting between lines 4 and 5

CHAPTER I

GAME FUND PROJECTS

Amend Sec. 1, page 1, line 5, by striking out "1" and inserting

101

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

chapter

Amend Sec. 2, page 1, line 8, by striking out "2" and inserting

102

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

103

Amend Sec. 3, page 2, line 5, by striking out "3" and inserting

103

Amend Bill, page 3, by inserting between lines 19 and 20

CHAPTER II

TRANSPORTATION PROJECTS

Section 201. Short title.

This chapter shall be known and may be cited as the Transportation Assistance Supplement to the Capital Budget Act of the 1983-1984 Fiscal Year.

Section 202. Total authorization.

The total authorization for the additional capital projects in the category of transportation assistance projects itemized in section 203 and with respect to which an interest is to be acquired or constructed by the Department of Transportation, its successors or assigns, and to be financed by the incurring of debt, shall be \$12,500,000.

Section 203. Itemization of transportation assistance projects.

Additional capital projects in the category of transportation assistance projects to be constructed or with respect to which an interest is to be acquired by the Department of Transportation, its successors or assigns, and to be financed by the incurring of debt, are hereby itemized, together with their respective estimated financial costs as follows:

Project	Base Project Allocation	Design and Contingency Allocation	Total Project Allocation
(1) Allegheny County (i) East Ohio River Blvd., Aetna Interchange, Replace decks on 7 bridges	11,000,000	1,500,000	12,500,000

Section 204. Debt authorizations.

The Governor, Auditor General and State Treasurer are hereby authorized and directed to borrow, from time to time, in addition to any authorization heretofore or hereafter enacted, on the credit of the Commonwealth, subject to the limitations provided in the act of _____, entitled "An act providing for the capital budget for fiscal year 1983-1984," money not exceeding in the aggregate the sum of \$12,500,000 as may be found necessary to carry out the acquisition and construction of the transportation assistance projects specifically itemized in a Capital Budget.

Section 205. Issue of bonds.

The indebtedness herein authorized shall be incurred from time to time and shall be evidenced by one or more series of general obligation bonds of the Commonwealth in such aggregate principal amount for each series as the Governor, Auditor General and State Treasurer shall determine, but the latest stated maturity date shall not exceed the estimated useful life of the project being financed as stated in section 206.

Section 206. Estimated useful life of project.

The General Assembly states that the estimated useful life of the projects heretofore itemized is 30 years.

Section 207. Appropriation.

The net proceeds of the sale of the obligations herein authorized are hereby appropriated from the Capital Facilities Fund to the Department of Transportation in the maximum amount of \$12,500,000 to be used by it exclusively to defray the financial cost of the transportation assistance projects specifically itemized in a Capital Budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay to the Department of Transportation the moneys as required and certified by it to be legally due and payable.

Section 208. Allocation of funds.

Whenever as determined by the Department of Transportation that the full estimated financial costs of the transportation assistance projects itemized in section 203 are not necessary for the proper design, acquisition or construction of the projects, the excess funds no longer required may be allocated to increase the estimated cost of any one or more of the transportation assistance projects specifically itemized in a Capital Budget.

CHAPTER III

EFFECTIVE DATE

Amend Sec. 4, page 3, line 20, by striking out "4" and inserting

301

On the question,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—188

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

NAYS—7

Fryer	McVerry	Rudy	Swift
Levin	Merry	Snyder, D. W.	

NOT VOTING—6

Beloff Harper Maiale Micozzie
Donatucci McIntyre

EXCUSED—2

Klingaman Stevens

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?

Mr. SHOWERS offered the following amendments No. A2347:

Amend Title, page 1, line 2, by inserting after "Fund" ; itemizing transportation assistance projects to be acquired or constructed by the Department of Transportation together with its estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the project; stating the estimated useful life of the project; and making an appropriation

Amend Bill, page 1, by inserting between lines 4 and 5

CHAPTER I

GAME FUND PROJECTS

Amend Sec. 1, page 1, line 5, by striking out "1" and inserting

101

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

chapter

Amend Sec. 2, page 1, line 8, by striking out "2" and inserting

102

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

103

Amend Sec. 3, page 2, line 5, by striking out "3" and inserting

103

Amend Bill, page 3, by inserting between lines 19 and 20

CHAPTER II

TRANSPORTATION PROJECTS

Section 201. Short title.

This chapter shall be known and may be cited as the Transportation Assistance Supplement to the Capital Budget Act of the 1983-1984 Fiscal Year.

Section 202. Total authorization.

The total authorization for the additional capital projects in the category of transportation assistance projects itemized in section 203 and with respect to which an interest is to be acquired or constructed by the Department of Transportation, its successors or assigns, and to be financed by the incurring of debt, shall be \$150,000.

Section 203. Itemization of transportation assistance projects.

Additional capital projects in the category of transportation assistance projects to be constructed or with respect to which an interest is to be acquired by the Department of Transportation, its successors or assigns, and to be financed by the incurring of debt, are hereby itemized, together with their respective estimated financial costs as follows:

Project	Base Project Cost	Land Cost	Design Cost	Total Project Cost
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- (1) Union County
- (i) West Buffalo Twp., Bridge

over Coal Run, Bridge Replacement... 127,500 22,500 150,000
Section 204. Debt authorizations.

The Governor, Auditor General and State Treasurer are hereby authorized and directed to borrow, from time to time, in addition to any authorization heretofore or hereafter enacted, on the credit of the Commonwealth, subject to the limitations provided in the act of , entitled "An act providing for the capital budget for fiscal year 1983-1984," money not exceeding in the aggregate the sum of \$150,000 as may be found necessary to carry out the acquisition and construction of the transportation assistance projects specifically itemized in a Capital Budget.
Section 205. Issue of bonds.

The indebtedness herein authorized shall be incurred from time to time and shall be evidenced by one or more series of general obligation bonds of the Commonwealth in such aggregate principal amount for each series as the Governor, Auditor General and State Treasurer shall determine, but the latest stated maturity date shall not exceed the estimated useful life of the project being financed as stated in section 206.

Section 206. Estimated useful life of project.

The General Assembly states that the estimated useful life of the projects heretofore itemized is 30 years.

Section 207. Appropriation.

The net proceeds of the sale of the obligations herein authorized are hereby appropriated from the Capital Facilities Fund to the Department of Transportation in the maximum amount of \$150,000 to be used by it exclusively to defray the financial cost of the transportation assistance projects specifically itemized in a Capital Budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay to the Department of Transportation the moneys as required and certified by it to be legally due and payable.

Section 208. Allocation of funds.

Whenever as determined by the Department of Transportation that the full estimated financial costs of the transportation assistance projects itemized in section 203 are not necessary for the proper design, acquisition or construction of the projects, the excess funds no longer required may be allocated to increase the estimated cost of any one or more of the transportation assistance projects specifically itemized in a Capital Budget.

CHAPTER III

EFFECTIVE DATE

Amend Sec. 4, page 3, line 20, by striking out "4" and inserting

301

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

The following roll call was recorded:

YEAS—176

Afflerbach	Dorr	Lloyd	Ryan
Alderette	Duffy	Lucyk	Rybak
Angstadt	Durham	McCall	Saloom
Armstrong	Evans	McClatchy	Salvatore
Arty	Fattah	McHale	Saurman
Baldwin	Fee	McVerry	Scheetz
Barber	Fischer	Mackowski	Schuler
Battisto	Flick	Madigan	Semmel
Belardi	Foster, Jr., A.	Manderino	Serafini
Belfanti	Freeman	Manmiller	Seventy
Blaum	Freind	Markosek	Showers
Book	Gallagher	Marmion	Smith, B.
Bowser	Gallen	Mayernik	Snyder, G. M.
Boyes	Gamble	Michlovic	Spitz
Brandt	Gannon	Micozzie	Stairs
Broujos	Geist	Miller	Steighner
Bunt	George	Morris	Stewart

Burd	Gladeck	Mowery	Stuban
Burns	Godshall	Mrkonic	Sweet
Caltagirone	Grieco	Murphy	Taylor, E. Z.
Cappabianca	Gruitza	Nahill	Taylor, F. E.
Carn	Gruppo	Noye	Telek
Cawley	Hagarty	O'Brien	Tigue
Cessar	Haluska	O'Donnell	Trello
Cimini	Hasay	Olasz	Truman
Civera	Hayes	Oliver	Van Horne
Clark	Herman	Perzel	Vroon
Clymer	Hershey	Peterson	Wachob
Cohen	Hoeffel	Petrarca	Wambach
Colafella	Honaman	Petrone	Wargo
Cole	Itkin	Phillips	Wass
Cordisco	Jarolin	Piccola	Weston
Cornell	Johnson	Pievsky	Wiggins
Coslett	Kasunic	Pistella	Williams
Cowell	Kennedy	Pitts	Wilson
Coy	Kosinski	Pott	Wogan
Deluca	Kowalshyn	Pratt	Wozniak
DeWeese	Kukovich	Preston	Wright, D. R.
Daley	Lashinger	Punt	Wright, J. L.
Davies	Laughlin	Rappaport	Wright, R. C.
Dawida	Lehr	Reber	Zwilk
Deal	Lescovitz	Reinard	
Dietz	Letterman	Richardson	Irvis,
Dininni	Levi	Rudy	Speaker
Dombrowski	Livengood		

NAYS—16

DeVerter	Greenwood	Merry	Smith, L. E.
Fargo	Jackson	Mochlmann	Snyder, D. W.
Foster, W. W.	Levin	Rieger	Spencer
Fryer	McMonagle	Robbins	Swift

NOT VOTING—9

Beloff	Hutchinson	McIntyre	Miscevich
Donatucci	Linton	Maiale	Sirianni
Harper			

EXCUSED—2

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

On the question recurring,

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

Messrs. STAIRS and KASUNIC offered the following amendments No. A2343:

Amend Title, page 1, line 2, by inserting after "Fund" ; itemizing transportation assistance projects to be acquired or constructed by the Department of Transportation together with its estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the project; stating the estimated useful life of the project; and making an appropriation

Amend Bill, page 1, by inserting between lines 4 and 5

CHAPTER 1

GAME FUND PROJECTS

Amend Sec. 1, page 1, line 5, by striking out "1" and inserting

101

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

chapter

Amend Sec. 2, page 1, line 8, by striking out "2" and inserting

102

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

103

Amend Sec. 3, page 2, line 5, by striking out "3" and inserting

103

Amend Bill, page 3, by inserting between lines 19 and 20

CHAPTER II

TRANSPORTATION PROJECTS

Section 201. Short title.

This chapter shall be known and may be cited as the Transportation Assistance Supplement to the Capital Budget Act of the 1983-1984 Fiscal Year.

Section 202. Total authorization.

The total authorization for the additional capital projects in the category of transportation assistance projects itemized in section 203 and with respect to which an interest is to be acquired or constructed by the Department of Transportation, its successors or assigns, and to be financed by the incurring of debt, shall be \$12,940,000.

Section 203. Itemization of transportation assistance projects.

Additional capital projects in the category of transportation assistance projects to be constructed or with respect to which an interest is to be acquired by the Department of Transportation, its successors or assigns, and to be financed by the incurring of debt, are hereby itemized, together with their respective estimated financial costs as follows:

Project	Base Project Cost	Land Cost	Design Cost	Total Project Cost
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(1) Fayette County

(i) L.R.117 Spur A,

T.R.119, South

Connellsville,

Morrell to

Pittsburgh St.,

Dunbar Twp.,

2 lane Relo-

cation Includ-

ing new Struc-

ture Over the

Youghiogheny

River. Length

1.4 Miles. \$10,535,000

\$865,000

\$1,540,000

\$12,940,000

Section 204. Debt authorizations.

The Governor, Auditor General and State Treasurer are hereby authorized and directed to borrow, from time to time, in addition to any authorization heretofore or hereafter enacted, on the credit of the Commonwealth, subject to the limitations provided in the act of , entitled "An act providing for the capital budget for fiscal year 1983-1984," money not exceeding in the aggregate the sum of \$12,940,000 as may be found necessary to carry out the acquisition and construction of the transportation assistance projects specifically itemized in a Capital Budget.

Section 205. Issue of bonds.

The indebtedness herein authorized shall be incurred from time to time and shall be evidenced by one or more series of general obligation bonds of the Commonwealth in such aggregate principal amount for each series as the Governor, Auditor General and State Treasurer shall determine, but the latest stated maturity date shall not exceed the estimated useful life of the project being financed as stated in section 206.

Section 206. Estimated useful life of project.

The General Assembly states that the estimated useful life of the projects heretofore itemized is 30 years.

Section 207. Appropriation.

The net proceeds of the sale of the obligations herein authorized are hereby appropriated from the Capital Facilities Fund to the Department of Transportation in the maximum amount of \$12,940,000 to be used by it exclusively to defray the financial cost of the transportation assistance projects specifically itemized in a Capital Budget. After reserving or paying the expenses of the sale of the obligation, the State Treasurer shall pay to the Department of Transportation the moneys as required and certified by it to be legally due and payable.

Section 208. Allocation of funds.

Whenever as determined by the Department of Transportation that the full estimated financial costs of the transportation assistance projects itemized in section 203 are not necessary for the proper design, acquisition or construction of the projects, the excess funds no longer required may be allocated to increase the estimated cost of any one or more of the transportation assistance projects specifically itemized in a Capital Budget.

CHAPTER III
EFFECTIVE DATE

Amend Sec. 4, page 3, line 20, by striking out "4" and inserting

301

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

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

Mr. STAIRS. My colleague, Mr. Kasunic, and I have introduced an amendment pertaining to the Fayette-Westmoreland County area in the villages of South Connellsville and Connellsville. We have a very large plant, probably the largest factory in Fayette County, that had a strike for a few days. One of the very great concerns of this factory is a bridge across the Youghiogheny River, and I would appreciate if my colleagues would help the Fayette-Westmoreland County area in support of this much-needed bridge. It has been on a 12-year program, and now we would hope to have your support to help our area in this particular time of high unemployment in our area. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the Stairs amendment, the Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, is it in order parliamentarily to divide the sponsors of the amendment?

Mr. Speaker, I am going to ask the members on this side of the aisle to vote in the affirmative, because Mr. Kasunic, who cosponsors this, has about two-thirds of the district. If there were a way to take the one-third away from Mr. Stairs, I would certainly like to do that, but unfortunately we cannot, and I still would ask for an affirmative vote, Mr. Speaker.

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—148

Afflerbach	Fargo	Lloyd	Saloom
Alderette	Fattah	Lucyk	Salvatore
Angstadt	Fee	McCall	Saurman
Arty	Fischer	McClatchy	Semmel
Baldwin	Flick	McHale	Serafini
Barber	Foster, Jr., A.	McVerry	Seventy

Battisto	Freeman	Manderino	Showers
Belardi	Freind	Markosek	Smith, B.
Blaum	Gamble	Mayernik	Spitz
Book	Gannon	Michlovic	Stairs
Bowser	George	Micozzie	Steighner
Boyes	Gladeck	Miller	Stewart
Brandt	Godshall	Miscevich	Stuban
Broujos	Grieco	Moehlmann	Sweet
Bunt	Gruitza	Morris	Swift
Burd	Gruppo	Mowery	Taylor, F. E.
Caltagirone	Hagarty	Mrkonic	Telek
Cappabianca	Haluska	Murphy	Tigue
Cawley	Hayes	O'Brien	Trello
Cessar	Herman	O'Donnell	Truman
Cimini	Hershey	Olasz	Van Horne
Clark	Hoeffel	Oliver	Vroon
Cohen	Hutchinson	Perzel	Wachob
Colafella	Itkin	Peterson	Wambach
Cole	Jarolin	Petrarca	Wargo
Cordisco	Johnson	Petrone	Weston
Coslett	Kasunic	Phillips	Wiggins
Cowell	Kennedy	Pievsky	Wilson
Coy	Kosinski	Pistella	Wogan
Deluca	Kowalshyn	Pitts	Wozniak
DeWeese	Kukovich	Pott	Wright, D. R.
Daley	Lashingner	Punt	Wright, J. L.
Dawida	Laughlin	Reber	Wright, R. C.
Dietz	Lehr	Reinard	Zwinkl
Dombrowski	Lescovitz	Richardson	
Dorr	Letterman	Ryan	Irvis,
Duffy	Levi	Rybak	Speaker
Durham	Livengood		

NAYS—43

Belfanti	Fryer	Mackowski	Robbins
Burns	Gallagher	Madigan	Rudy
Carn	Gallen	Manmiller	Scheetz
Civera	Geist	Marmion	Sirianni
Clymer	Greenwood	Merry	Smith, L. E.
Cornell	Hasay	Nahill	Snyder, D. W.
DeVerte	Honaman	Piccola	Snyder, G. M.
Deal	Jackson	Pratt	Spencer
Dininni	Levin	Preston	Taylor, E. Z.
Evans	Linton	Rappaport	Wass
Foster, W. W.	McMonagle	Rieger	

NOT VOTING—10

Armstrong	Donatucci	Maiale	Schuler
Beloff	Harper	Noye	Williams
Davies	McIntyre		

EXCUSED—2

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—191

Afflerbach	Fargo	Lucyk	Rudy
Alderette	Fattah	McCall	Ryan
Angstadt	Fee	McClatchy	Rybak
Armstrong	Fischer	McHale	Saloom

Arty	Flick	McMonagle	Salvatore
Baldwin	Foster, W. W.	McVerry	Saurman
Barber	Foster, Jr., A.	Mackowski	Scheetz
Battisto	Freeman	Madigan	Schuler
Belardi	Freind	Manderino	Semmel
Belfanti	Gallagher	Manmiller	Serafini
Blaum	Gallen	Markosek	Seventy
Book	Gamble	Marmion	Showers
Bowser	Gannon	Mayernik	Sirianni
Boyes	Geist	Merry	Smith, B.
Brandt	George	Michlovic	Smith, L. E.
Broujos	Gladeck	Micozzie	Snyder, G. M.
Bunt	Godshall	Miller	Spencer
Burd	Greenwood	Miscevich	Spitz
Burns	Grieco	Moehlmann	Stairs
Caltagirone	Gruitza	Morris	Steighner
Cappabianca	Gruppo	Mowery	Stewart
Cawley	Hagarty	Mrkonic	Stuban
Cessar	Haluska	Murphy	Sweet
Cimini	Hasay	Nahill	Taylor, E. Z.
Civera	Hayes	Noye	Taylor, F. E.
Clark	Herman	O'Brien	Telek
Clymer	Hershey	O'Donnell	Tigue
Cohen	Hoeffel	Olasz	Trello
Colafella	Honaman	Oliver	Truman
Cole	Hutchinson	Perzel	Van Horne
Cordisco	Irkin	Peterson	Vroon
Cornell	Jackson	Petrarca	Wachob
Coslett	Jarolin	Petrone	Wambach
Cowell	Johnson	Phillips	Wargo
Coy	Kasunic	Piccola	Wass
DeLuca	Kennedy	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	Zwinkl
Dorr	Linton	Richardson	
Duffy	Livengood	Rieger	Irvis,
Durham	Lloyd	Robbins	Speaker
Evans			

NAYS—6

Carn	Fryer	Snyder, D. W.	Swift
DeVertter	Levin		

NOT VOTING—4

Beloff	Harper	McIntyre	Maiale
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EXCUSED—2

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

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

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

Mr. LETTERMAN. To make a comment.

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

Mr. LETTERMAN. I would just like to thank everybody for building up bridges for my ducks and game to walk across. That last bill, SB 666, I think they will do a great job with it.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lehigh, Mr. Snyder.

Mr. D. W. SNYDER. Mr. Speaker, due to the lateness of the hour, I wanted to make some remarks on SB 666, and I would like permission to submit a statement at a later date.

The SPEAKER. The Chair thanks the gentleman. Permission is granted, and the remarks may be filed.

REMARKS ON VOTES

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

Mr. NOYE. Thank you, Mr. Speaker.

Earlier we voted amendments A2330 and A2343 to SB 666, and I was here but in the confusion failed to vote. I would like the record to reflect I would have voted in the affirmative.

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

**CONSIDERATION OF HB 110 RESUMED
BILL ON FINAL PASSAGE POSTPONED**

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. MANDERINO, the House resumed consideration on final passage of **HB 110, PN 1294**, entitled:

An Act amending the act of June 19, 1982 (No. 23A), entitled "An act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania," providing an additional appropriation for certain unpaid bills and debts; and requiring certain actions by the Department of Education and the Office of the Auditor General.

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—138

Afflerbach	Duffy	Lucyk	Ryan
Alderette	Durham	McCall	Rybak
Arty	Evans	McClatchy	Saloom
Baldwin	Fattah	McHale	Salvatore
Barber	Fee	McIntyre	Seventy
Battisto	Freeman	McMonagle	Showers
Belfanti	Fryer	Mackowski	Sirianni
Beloff	Gallagher	Manderino	Smith, L. E.
Blaum	Gamble	Manmiller	Spencer
Boyes	Gannon	Markosek	Spitz
Broujos	George	Mayernik	Steighner
Caltagirone	Grieco	Michlovic	Stewart
Cappabianca	Gruitza	Miscevich	Stuban
Carn	Gruppo	Morris	Sweet
Cawley	Haluska	Mrkonic	Taylor, F. E.
Cessar	Harper	Murphy	Telek
Cimini	Hayes	O'Donnell	Tigue
Clark	Hoeffel	Olasz	Trello
Cohen	Hutchinson	Oliver	Truman

Colafrilla	Itkin	Perzel	Van Horne
Cole	Jarolin	Peterson	Wachob
Cordisco	Johnson	Petrarca	Wambach
Coslett	Kasunic	Petrone	Wargo
Cowell	Kosinski	Phillips	Weston
Coy	Kowalshyn	Piccola	Wiggins
Deluca	Kukovich	Pievsky	Williams
DeVerter	Lashinger	Pistella	Wilson
DeWeese	Laughlin	Pott	Wozniak
Daley	Lescovitz	Pratt	Wright, D. R.
Davies	Letterman	Preston	Wright, J. L.
Dawida	Levi	Rappaport	Wright, R. C.
Deal	Levin	Reber	Zwikl
Dininni	Linton	Richardson	
Dombrowski	Livengood	Rieger	Irvis,
Donatucci	Lloyd	Rudy	Speaker

NAYS—62

Angstadt	Flick	Lehr	Robbins
Armstrong	Foster, W. W.	McVerry	Saurman
Belardi	Foster, Jr., A.	Madigan	Scheetz
Book	Freind	Marmion	Schuler
Bowser	Gallen	Merry	Semmel
Brandt	Geist	Micozzie	Serafini
Bunt	Gladeck	Miller	Smith, B.
Burd	Godshall	Moehlmann	Snyder, D. W.
Burns	Greenwood	Mowery	Snyder, G. M.
Civera	Hagarty	Nahill	Stairs
Clymer	Hasay	Noye	Swift
Cornell	Herman	O'Brien	Taylor, E. Z.
Dietz	Hershey	Pitts	Vroon
Dorr	Honaman	Punt	Wass
Fargo	Jackson	Reinard	Wogan
Fischer	Kennedy		

NOT VOTING—1

Maiale

EXCUSED—2

Klingaman Stevens

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

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

REMARKS ON VOTES

The SPEAKER. For what purpose does the gentleman from Cumberland, Mr. Broujos, rise?

Mr. BROUJOS. Mr. Speaker, I want to record two votes - the vote on amendment A2324 to SB 666 in the affirmative, and the vote on A2262 to SB 666 in the affirmative. I was not in my seat at the time.

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

SUPPLEMENTAL CALENDAR C

BILL ON FINAL PASSAGE POSTPONED

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. MANDERINO, the House resumed consideration on final passage of **SB 385, PN 1139**, entitled:

An Act amending Title 24 (Education) and Title 71 (State Government) of the Pennsylvania Consolidated Statutes, adding provisions relating to school subsidies; providing that employers make pickup contributions to the Public School Employees' Retirement System on behalf of school employees; further providing for contribution rates; further providing for the basic contribution rate for members of the State Employees' Retirement System; and suspending temporarily a portion of an act.

On the question recurring,
Shall the bill pass finally?

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, SB 385 as reported from the Appropriations Committee has the school subsidy formula in it, which conforms to the printouts that have been given to each of the caucuses. That bill, as it came from the Appropriations Committee, was placed on final passage postponed. In reading the amendment, we were informed by the Reference Bureau that a technical change had to be made because they took section numbers and did not pick up with the amendment the change in section numbers, and it changed the effective date of the act. We have, Mr. Speaker, a technical amendment from the Reference Bureau. The number of that amendment is A2369, and I would move that we suspend the rules for the adoption of that technical amendment to the bill that is now on final passage postponed.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I have discussed the subject that Mr. Manderino has just made reference to with our staff people. They agree with the statement that Mr. Manderino made that the technical amendment deals with effective dates and a couple of other numbers that have no effect whatsoever on the bill other than to make it technically correct. I would concur in the motion of the gentleman.

The SPEAKER. It is moved by the gentleman, Mr. Manderino, that the rules of the House be suspended so that an amendment may be offered, amendment A2369, to SB 385. Without objection, we will take a voice vote. The Chair hears no objection.

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

On the question recurring,
Shall the bill pass finally?

Mr. MANDERINO offered the following amendments No. A2369:

Amend Amendments, page 6, line 45, by striking out "5" and inserting

6

Amend Amendments, page 6, line 49, by inserting after "rate" "

of Title 24 and sections 5102 and 5502 of Title 71

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

QUESTION OF INFORMATION

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

Mr. COWELL. Mr. Speaker, a point of information.

Has the bill before us, SB 385 as amended by the Appropriations Committee, been distributed to the members?

The SPEAKER. The Chair cannot answer that question.

Mr. MANDERINO. It has not, Mr. Speaker. It will take 2 hours for it to be duplicated for distribution.

Mr. COWELL. Mr. Speaker, is there a copy or are there copies of the amendments which were approved by the Appropriations Committee available?

Mr. MANDERINO. The original bill on final passage postponed is available in, I think, several copies, yes. With the amendment, Mr. Speaker.

Mr. COWELL. Mr. Speaker, with the amendment which was approved by the Appropriations Committee earlier this morning?

Mr. MANDERINO. Yes, Mr. Speaker.

Mr. COWELL. Would it be possible to distribute that to those who may have an interest, including myself?

Mr. MANDERINO. May we be at ease for a moment?

The SPEAKER. The House will stand at ease.

Mr. MANDERINO. There are several copies that we have. Anyone interested, there are a couple of other copies. We will explain what is in it, and if anyone is interested, those familiar will stand for interrogation.

The SPEAKER. The question is on the amendment—

Mr. MANDERINO. The technical amendment, Mr. Speaker?

The SPEAKER. Yes. The amendment A2369.

Mr. MANDERINO. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—193

Afflerbach	Durham	Linton	Robbins
Alderette	Evans	Livengood	Rudy
Angstadt	Fargo	Lloyd	Ryan
Armstrong	Fattah	Lucyk	Rybak
Arty	Fee	McCall	Saloom
Baldwin	Fischer	McClatchy	Salvatore
Barber	Flick	McHale	Saurman
Battisto	Foster, W. W.	McMonagle	Scheetz
Belardi	Foster, Jr., A.	McVerry	Schuler
Belfanti	Freeman	Mackowski	Semmel
Blaum	Freind	Madigan	Serafini
Book	Fryer	Manderino	Seventy
Bowser	Gallagher	Manmiller	Showers
Boyes	Gallen	Markosek	Sirianni
Brandt	Gamble	Marmion	Smith, B.
Broujos	Gannon	Mayernik	Smith, L. E.
Bunt	Geist	Merry	Snyder, D. W.
Burd	George	Michlovic	Snyder, G. M.
Burns	Gladeck	Micozzie	Spencer
Caltagirone	Godshall	Miscevich	Stairs
Cappabianca	Greenwood	Moehlmann	Steighner
Carn	Grieco	Morris	Stewart
Cawley	Gruitza	Mowery	Stuban
Cessar	Gruppo	Mrkonjic	Sweet
Cimini	Hagarty	Murphy	Taylor, E. Z.
Civera	Haluska	Nahill	Taylor, F. E.

Clark	Hasay	Noye	Telek
Clymer	Hayes	O'Brien	Tigue
Cohen	Herman	O'Donnell	Trello
Colafella	Hershey	Olasz	Truman
Cole	Hoeffel	Oliver	Van Horne
Cordisco	Honaman	Perzel	Vroon
Cornell	Hutchinson	Peterson	Wachob
Coslett	Itkin	Petrarca	Wambach
Cowell	Jackson	Petrone	Wargo
Coy	Jarolin	Phillips	Wass
Deluca	Johnson	Piccola	Weston
DeVerter	Kasunic	Pievsky	Wiggins
DeWeese	Kennedy	Pistella	Wilson
Daley	Kosinski	Pitts	Wogan
Davies	Kowalshyn	Pott	Wozniak
Dawida	Kukovich	Pratt	Wright, D. R.
Deal	Lashinger	Preston	Wright, J. L.
Dietz	Laughlin	Punt	Wright, R. C.
Dininni	Lehr	Rappaport	Zwinkl
Dombrowski	Lescovitz	Reber	
Donatucci	Letterman	Reinard	Irvis,
Dorr	Levi	Richardson	Speaker
Duffy	Levin	Rieger	

NAYS—1

Swift

NOT VOTING—7

Beloff	McIntyre	Miller	Williams
Harper	Maiale	Spitz	

EXCUSED—2

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

On the question recurring,
Shall the bill pass finally?

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

Mr. LLOYD. Thank you, Mr. Speaker.

Would the majority leader consent to interrogation?

Mr. MANDERINO. Yes, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Manderino, will stand for interrogation. The gentleman, Mr. Lloyd, is in order and may proceed.

Mr. LLOYD. Thank you, Mr. Speaker.

I think I am going to vote for this bill because I think I understand, based on an explanation from the Appropriations Committee, what is in it. But I want to make sure, and I think all the other members of this House ought to know that one of the things in this bill is an increase in the contribution rate for teachers to the retirement system. Is that correct, Mr. Speaker?

Mr. MANDERINO. That is, Mr. Speaker.

Mr. LLOYD. Okay. And this bill also then includes the so-called pickup benefit under the tax rate. Is that correct?

Mr. MANDERINO. That is correct, Mr. Speaker.

Mr. LLOYD. And the third thing in this bill is the change in the subsidy formula to conform with the printouts we received earlier. Is that correct?

Mr. MANDERINO. That is correct, Mr. Speaker.

Mr. LLOYD. Is there anything else in this bill, Mr. Speaker?

Mr. MANDERINO. I believe so, Mr. Speaker. Just a minute.

The increased contribution of State employees to the retirement system is also included in this bill.

Mr. LLOYD. Thank you, Mr. Speaker.

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

Mr. AFFLERBACH. Will the majority leader stand for further interrogation, please?

Mr. MANDERINO. Yes, Mr. Speaker.

The SPEAKER. The majority leader says he will stand for interrogation. The gentleman, Mr. Afflerbach, is in order and may proceed.

Mr. AFFLERBACH. Mr. Speaker, is there any extension of benefits for members of the retirement system included in this bill?

Mr. MANDERINO. No, Mr. Speaker.

Mr. AFFLERBACH. Is it correct, then, that we are increasing the retirement contribution rate by 1 percent for the school employees and 1 percent for the State employees?

Mr. MANDERINO. I think the State employees is 1 1/4 percent.

Mr. AFFLERBACH. One and a quarter percent. But there is no increase in benefits for the members of the system.

Mr. MANDERINO. That is correct, Mr. Speaker.

Mr. AFFLERBACH. Thank you very much.

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

Mr. McVERRY. Excuse me, sir, but just to know what SB 385 provides, in view of the fact that it was changed in committee and not—

The SPEAKER. The gentleman may not have been paying attention, but the majority leader has already answered that interrogation. Do you wish to interrogate the majority leader a second time?

Mr. McVERRY. Yes.

The SPEAKER. The gentleman, Mr. Manderino, agrees to be interrogated. The gentleman, Mr. McVerry, is in order and may proceed.

Mr. McVERRY. Thank you, Mr. Speaker.

Would you tell me what SB 385 provides?

Mr. MANDERINO. SB 385 has a new school subsidy formula. I am sure it was explained in both caucuses, the elements of the formula. Printouts were distributed in all of the caucuses showing the distribution of moneys under the formula. The moneys were placed in the appropriation bill that passed here earlier this evening, and that is the first feature in the bill.

There is also a feature in the bill requiring additional contributions to the retirement system from the school employees and additional contributions to the retirement system from the State employees.

Mr. Speaker, the other feature in the bill is the tax-shelter legislation that passed for State employees, and members of the House even received benefits. There is a pickup of that sheltering of moneys paid in the retirement system for the school employees in this bill.

Mr. McVERRY. Thank you, Mr. Speaker.

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—159

Angstadt	Foster, Jr., A.	McMonagle	Saloom
Armstrong	Freind	Mackowski	Salvatore
Arty	Gallen	Madigan	Saurman
Barber	Gamble	Manderino	Scheetz
Battisto	Gannon	Manmiller	Schuler
Belardi	Geist	Marmion	Semmel
Belfanti	George	Merry	Serafini
Blaum	Gladeck	Michlovic	Seventy
Book	Godshall	Micozzie	Showers
Bowser	Greenwood	Miller	Sirianni
Brandt	Grieco	Miscevich	Smith, L. E.
Broujos	Gruitza	Moehlimann	Spencer
Bunt	Gruppo	Morris	Spitz
Burd	Hagarty	Mrkonic	Stairs
Caltagirone	Haluska	Murphy	Steighner
Cappabianca	Hasay	Nahill	Stewart
Carn	Hayes	Noye	Stuban
Cawley	Herman	O'Brien	Sweet
Cessar	Hershey	O'Donnell	Taylor, E. Z.
Cimini	Hoeffel	Olasz	Taylor, F. E.
Civera	Honaman	Oliver	Telek
Clark	Hutchinson	Perzel	Tigue
Clymer	Itkin	Peterson	Trello
Cole	Jackson	Petrarca	Truman
Cordisco	Jarolin	Petrone	Van Horne
Coslett	Johnson	Phillips	Vroon
Cowell	Kasunic	Piccola	Wachob
Coy	Kennedy	Pievsky	Wambach
DeVerter	Kowalyszyn	Pistella	Wargo
Dietz	Kukovich	Pitts	Wass
Dininni	Lashinger	Pott	Weston
Dombrowski	Laughlin	Pratt	Wiggins
Donatucci	Lehr	Preston	Williams
Durham	Letterman	Rappaport	Wilson
Evans	Levi	Reber	Wogan
Fargo	Levin	Reinard	Wozniak
Fattah	Linton	Rieger	Wright, D. R.
Fee	Livengood	Rudy	
Fischer	Lloyd	Ryan	Irvis,
Flick	McClatchy	Rybak	Speaker
Foster, W. W.			

NAYS—37

Afflerbach	Daley	Kosinski	Punt
Alderette	Davies	Lescovitz	Richardson
Baldwin	Dawida	Lucyk	Robbins
Boyes	Deal	McCall	Smith, B.
Burns	Dorr	McHale	Snyder, D. W.
Cohen	Duffy	McVerry	Snyder, G. M.
Colafella	Freeman	Markosek	Swift
Cornell	Fryer	Mayernik	Wright, J. L.
Deluca	Gallagher	Mowery	Zwilk
DeWeese			

NOT VOTING—5

Beloff	McIntyre	Maiale	Wright, R. C.
Harper			

EXCUSED—2

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

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

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Erie, Mr. Dombrowski, rise?

Mr. DOMBROWSKI. Mr. Speaker, on the last vote I erroneously voted in the affirmative. I would like the record to show that if I had used my head, I would have voted in the negative on SB 385.

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The members are alerted to the fact that the checks for the staff and for the members are available for distribution on this day, on Friday. I do not know whether or not the Office of the Chief Clerk is open. The Office of the Chief Clerk is currently not open. We do not know whether or not a lynching party is in order, but we will see.

Mr. DeVERTER. That is your fault, Bill.

REMARKS ON VOTE

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

Mr. CAWLEY. Mr. Speaker, on the last vote something evidently happened to the computer and it had me registered as affirmative. I would like to be recorded as negative on SB 385.

If I could close with this comment, Mr. Speaker: Mr. Speaker, Pete Wambach, I would like to say, is a very good Representative. I would like this to be recorded on tape. Play it on the radio. Everyone in this area knows who I am; I do not have to give my name. Thank you.

ANNOUNCEMENT BY MAJORITY LEADER

The SPEAKER. Would the majority leader inform the Speaker whether he has any further business?

Mr. MANDERINO. Mr. Speaker, just an announcement that the Chief Clerk's Office will be open tomorrow, and my understanding is that the employees' checks have been cut and the members' checks have likewise been cut.

HOUSE SCHEDULE

The SPEAKER. Would the gentleman advise the members before the adjournment motion is passed as to the possible schedule for next week?

Mr. MANDERINO. Mr. Speaker—and I will ask the minority leader to listen to what I have to say and confirm if this is our understanding—it is our understanding that when

we close today, we will adjourn to a time certain tomorrow, so the House will be in session tomorrow. There will be no need for votes on the floor of the House. There will be need for action on signing bills in the presence of the House that may come back from the Senate. When we close our session tomorrow, it will be a closing of the session by recess to the call of the Chair. We will await the Senate's action on all the matters sent to them. It may be necessary sometime next week or after next week that the House come back to complete its work for this part of the session.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. The gentleman, Mr. Manderino, has stated the situation as I understand it to be at this time, and I agree with him.

The SPEAKER. The Chair thanks both gentlemen.

BILLS PASSED OVER

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

ADJOURNMENT

The SPEAKER. There being no further business to bring before this session of Thursday, July 14, 1983, the Chair recognizes the gentleman from Carbon, Mr. McCall.

Mr. McCALL. Mr. Speaker, I move that this House do now adjourn until Friday, July 15, 1983, at 1 p.m., e.d.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 4:54 a.m., e.d.t., July 15, 1983, the House adjourned.