

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

FRIDAY, JUNE 29, 1984

SESSION OF 1984 168TH OF THE GENERAL ASSEMBLY

No. 54

HOUSE OF REPRESENTATIVES

The House convened at 11 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:

Eternal Father, most glorious Lord, as tired and weary workmen of Thine, these stewards pause before Thee to express glory and praise for all of Thy protective care. We humbly pray that Thou wilt keep them close to Thee, share with them Thy indwelling spirit, impart to them Thy strength and power, and bestow upon them the blessedness of Thy peace. This we ask with the assurance of Thy love, the confidence of Thy presence, and the salutation of Thy crowning might. Through whom, to whom, and for whom we recognize our allegiance and graciously pray. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. The Journal for Thursday, June 28, 1984, not yet being in print, without objection, the approval of the Journal will be delayed until the Journal is in print. The Chair hears no objection thereto.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2381 By Representatives FREEMAN, LAUGHLIN, KUKOVICH, RYBAK, STEIGHNER, PRATT, DeLUCA, PISTELLA, ALDERETTE, WAMBACH, DEAL, COHEN, HOEFFEL, OLASZ, PETRONE, KASUNIC, WACHOB, KOWALYSHYN and BATTISTO

An Act prohibiting retailers from increasing the selling price of an item 14 days or less before a reduced sale on that item begins.

Referred to Committee on CONSUMER AFFAIRS, June 29, 1984.

No. 2382 By Representatives FREEMAN, GRUPPO, LAUGHLIN, KUKOVICH, RYBAK, McHALE, STEIGHNER, PRATT, DeLUCA, PISTELLA, ALDERETTE, WAMBACH, DEAL, COHEN, HOEFFEL, OLASZ, PETRONE, KASUNIC, KOWALYSHYN and BATTISTO

An Act providing limitations on the use of computerized checkout registers in retail stores, including retail grocery stores.

Referred to Committee on CONSUMER AFFAIRS, June 29, 1984.

No. 2383 By Representatives GEORGE, STEIGHNER, HALUSKA, PRESTON, RYBAK, KASUNIC, McINTYRE, PETRONE and OLASZ

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for off-peak energy charges.

Referred to Committee on STATE GOVERNMENT, June 29, 1984.

No. 2384 By Representative CIMINI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for investigations by police officers.

Referred to Committee on TRANSPORTATION, June 29, 1984.

No. 2385 By Representatives GREENWOOD, GANNON, ARTY, NOYE, CIVERA, CLYMER, REINARD, SEMMEL, HERSHEY, FLICK, BOOK, MILLER, FARGO, BOWSER, PRESTON and SIRIANNI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further regulating handicapped plates.

Referred to Committee on TRANSPORTATION, June 29, 1984.

No. 2386 By Representatives HERMAN, BATTISTO, MORRIS, PETERSON, HALUSKA, REINARD, JOHNSON, KOSINSKI, MERRY and SEMMEL

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, prohibiting the use of voter registration lists for prospective jurors; and authorizing the use of lists of persons who have valid operator's licenses.

Referred to Committee on JUDICIARY, June 29, 1984.

No. 2387 By Representatives SPENCER and PERZEL

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), further providing for minimum sales.

Referred to Committee on LIQUOR CONTROL, June 29, 1984.

No. 2388 By Representatives SPENCER and PERZEL

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

Referred to Committee on LIQUOR CONTROL, June 29, 1984.

No. 2389 By Representatives DUFFY, MISCEVICH and MRKONIC

An Act amending the "Fuel Use Tax Act," approved January 14, 1952 (1951 P. L. 1965, No. 550), excluding certain senior citizen organizations from the fuel use tax.

Referred to Committee on FINANCE, June 29, 1984.

No. 2390 By Representatives DUFFY, MISCEVICH and MRKONIC

An Act amending "The Liquid Fuels Tax Act," approved May 21, 1931 (P. L. 149, No. 105), excepting certain senior citizen organizations from the liquid fuels tax.

Referred to Committee on FINANCE, June 29, 1984.

No. 2391 By Representatives GRUITZA, BELFANTI, RYBAK, VAN HORNE, STEIGHNER, GALLAGHER, MAIALE, PISTELLA, ALDERETTE, KOSINSKI, LUCYK, KASUNIC, PRATT and AFFLERBACH

An Act amending the "Unemployment Compensation Law," approved December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), abolishing the Unemployment Compensation Board of Review; providing for appeals to courts of common pleas; making editorial changes; and making repeals.

Referred to Committee on LABOR RELATIONS, June 29, 1984.

No. 2392 By Representatives PITTS, PHILLIPS, MERRY, KASUNIC, BROUJOS, LASHINGER, GODSHALL, FREIND, MORRIS, FISCHER, J. L. WRIGHT, COY, RYBAK, HALUSKA, ANGSTADT, BATTISTO, KOWALYSHYN, BOWSER, ARTY, GREENWOOD, MICOZZIE, SAURMAN, SEMMEL, BURD, PISTELLA, RUDY, PRATT, ROBBINS, VROON, ITKIN and HERSHEY

An Act amending the act of October 17, 1955 (P. L. 744, No. 222), known as the Pennsylvania Human Relations Act, providing for the use of support dogs because of a physical handicap of the user.

Referred to Committee on STATE GOVERNMENT, June 29, 1984.

No. 2393 By Representatives PITTS, PHILLIPS, MERRY, KASUNIC, BROUJOS, LASHINGER, GODSHALL, FREIND, MORRIS, FISCHER, J. L. WRIGHT, COY, RYBAK, HALUSKA, ANGSTADT, BATTISTO, KOWALYSHYN, BOWSER, ARTY, GREENWOOD, MICOZZIE, SAURMAN, SEMMEL, BURD, PISTELLA, RUDY, PRATT, ROBBINS, VROON, ITKIN and HERSHEY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing a penalty for discrimination on account of the use of support dogs by handicapped persons.

Referred to Committee on JUDICIARY, June 29, 1984.

No. 2394 By Representatives NAHILL, HUTCHINSON, DININNI, LLOYD, MURPHY, STEIGHNER, BOWSER and GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the use of pulsating headlights for certain emergency vehicles.

Referred to Committee on TRANSPORTATION, June 29, 1984.

No. 2395 By Representatives NAHILL, KASUNIC, J. L. WRIGHT, SAURMAN, HERMAN and SEMMEL

An Act providing for the licensing of home inspection companies; and imposing powers and duties on the Secretary of Labor and Industry.

Referred to Committee on LABOR RELATIONS, June 29, 1984.

No. 2396 By Representatives CLARK, VAN HORNE, PETRARCA, DUFFY and LIVENGOOD

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for costs of certain traffic-control devices.

Referred to Committee on TRANSPORTATION, June 29, 1984.

No. 2397 By Representatives MADIGAN, MORRIS, GRIECO, L. E. SMITH, DeVERTER, SPENCER, SIRIANNI, W. W. FOSTER, STUBAN and SHOWERS

An Act providing for repurchase by the wholesaler, manufacturer or distributor from the retailer, or his heir or heirs, of farm, industrial, utility and lawn and garden equipment, attachments and parts held for retail sale upon the termination of contracts whereby the retailer agrees to maintain a stock of such implements, attachments and parts; and making repeals.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, June 29, 1984.

No. 2398 By Representatives BURNS, DURHAM, DEAL, GREENWOOD, REINARD and ARTY

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), requiring the Department of General Services to purchase vehicles equipped with air bags and make a report; and making editorial changes.

Referred to Committee on STATE GOVERNMENT, June 29, 1984.

No. 2399 By Representatives COWELL, IRVIS, E. Z. TAYLOR, GALLAGHER, COY, BURNS, STAIRS and FISCHER

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

Referred to Committee on EDUCATION, June 29, 1984.

No. 2400 By Representatives COHEN, OLIVER, WOZNIAK and RUDY

An Act amending the "State Lottery Law," approved August 26, 1971 (P. L. 351, No. 91), providing for investment of funds; and making editorial changes.

Referred to Committee on STATE GOVERNMENT, June 29, 1984.

No. 2401 By Representatives COWELL, GAMBLE, MAYERNIK, DeLUCA, McVERRY, BOOK, CESSAR and DUFFY

An Act amending "The Local Tax Collection Law," approved May 25, 1945 (P. L. 1050, No. 394), increasing the permissible penalty to be assessed for late tax payments.

Referred to Committee on FINANCE, June 29, 1984.

No. 2402 By Representatives MANMILLER, SIRIANNI, DININNI, CESSAR, HAYES, PICCOLA, MOWERY and WAMBACH

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further restricting the powers of the board and eliminating waivers.

Referred to Committee on EDUCATION, June 29, 1984.

No. 2403 By Representatives ITKIN, PISTELLA, IRVIS, PRESTON, DAWIDA, MURPHY, SEVENTY and PETRONE

An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Education, to convey to the City of Pittsburgh a certain lot or tract of land in the City of Pittsburgh, Allegheny County, Pennsylvania.

Referred to Committee on STATE GOVERNMENT, June 29, 1984.

No. 2404 By Representatives TRELLO, MISCEVICH, DeLUCA and CESSAR

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), further providing for special occasion permits.

Referred to Committee on LIQUOR CONTROL, June 29, 1984.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 253 By Representatives WILSON, LESCOVITZ, HUTCHINSON, PETRARCA, CALTAGIRONE, STEIGHNER, GEIST, HAYES, BOWSER, JOHNSON, BATTISTO, NAHILL, BRANDT, MURPHY, DAWIDA, DININNI, STUBAN, KENNEDY, PETERSON, LLOYD, GRUITZA, PHILLIPS, PITTS, LINTON, ALDERETTE, GAMBLE, CLARK, MISCEVICH, CESSAR, BOOK, POTT, McVERRY, TRELLO, O'DONNELL and PIEVSKY

Directing the House Committee on Transportation to determine and review the Department of Transportation's policy toward the aviation industry and the aviation community of Pennsylvania.

Referred to Committee on RULES, June 29, 1984.

No. 258 By Representatives O'BRIEN, SALVATORE, WESTON, PERZEL and WOGAN

Providing for a bipartisan committee to investigate the Philadelphia School District in relation to the granting of an option to purchase certain surplus property.

Referred to Committee on RULES, June 29, 1984.

SENATE RESOLUTION FOR CONCURRENCE

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

SR 140, PN 2197

Referred to Committee on STATE GOVERNMENT, June 29, 1984.

SENATE BILLS FOR CONCURRENCE

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

SB 387, PN 2188

Referred to Committee on STATE GOVERNMENT, June 29, 1984.

SB 1027, PN 2211

Referred to Committee on GAME AND FISHERIES, June 29, 1984.

SB 1107, PN 2099

Referred to Committee on HEALTH AND WELFARE, June 29, 1984.

SB 1160, PN 2148

Referred to Committee on JUDICIARY, June 29, 1984.

SB 1345, PN 1903

Referred to Committee on TRANSPORTATION, June 29, 1984.

SB 1346, PN 2189

Referred to Committee on EDUCATION, June 29, 1984.

SB 1379, PN 2156

Referred to Committee on CONSERVATION, June 29, 1984.

SB 1380, PN 2155

Referred to Committee on TRANSPORTATION, June 29, 1984.

SB 1384, PN 1988

Referred to Committee on HEALTH AND WELFARE, June 29, 1984.

SB 1412, PN 2062

Referred to Committee on TRANSPORTATION, June 29, 1984.

MASTER ROLL CALL RECORDED

The SPEAKER. The Chair is about to take the master roll call for the day. Members will proceed to vote.

The following roll call was recorded:

PRESENT—200

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

Cowell	Johnson	Phillips	Wambach
Coy	Kasunic	Piccola	Wargo
Deluca	Kennedy	Pievsky	Wass
DeVerter	Klingaman	Pistella	Weston
DeWeese	Kosinski	Pitts	Wiggins
Daley	Kowalshyn	Pott	Williams
Davies	Kukovich	Pratt	Wilson
Dawida	Lashingier	Preston	Wogan
Deal	Laughlin	Punt	Wozniak
Dietz	Lehr	Rappaport	Wright, D. R.
Dininni	Lescovitz	Reber	Wright, J. L.
Dombrowski	Letterman	Reinard	Wright, R. C.
Dorr	Levi	Richardson	Zwikl
Duffy	Levin	Rieger	
Durham	Linton	Robbins	Irvis,
Evans	Livengood	Rudy	Speaker
Fargo	Lloyd		

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Donatucci Marmion

SENATE MESSAGE

AMENDED HOUSE RESOLUTION
RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, informed that the Senate has concurred in **HR 167, PN 3314**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

LEAVES OF ABSENCE

The SPEAKER. The Chair now turns to leaves of absence. Does the gentleman from Lawrence, Mr. Fee, know of any leaves of absence on the Democratic side? No indication of leaves, Mr. Fee?
Mr. FEE. No, Mr. Speaker.
The SPEAKER. The Chair thanks the gentleman.
Mr. Hayes, no leaves?
The Chair thanks both gentlemen.

WELCOME

The SPEAKER. The Chair welcomes to the hall of the House, as the guest of Representatives Wilson and Wass, Ted Fick, who is a former trustee of Indiana University. Welcome to the hall of the House.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1414, PN 2071**, entitled:

An Act amending the act of September 20, 1961 (P. L. 1541, No. 657), entitled, as reenacted and amended, "Pennsylvania Agricultural Commodities Marketing Act of 1968," providing for the establishment, without referendum, of a dairy products promotion program funded by voluntary contributions.

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—198

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

NAYS—0

NOT VOTING—2

Harper Wambach

EXCUSED—2

Donatucci Marmion

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 1329, PN 2201**, entitled:

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, prohibiting multiple filings; defining rate base; and regulating valuation.

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

Mr. LLOYD offered the following amendments No. A3661:

Amend Sec. 3 (Sec. 1308), page 3, line 3, by removing the period after "request" and inserting
or until the expiration of the maximum period of suspension of the prior general rate increase request, whichever is earlier.

Amend Bill, page 4, line 4, by striking out all of said line and inserting

Section 5. (a) The amendments to 66 Pa.C.S. §§ 102 (relating to definitions), 1307(a) (relating to sliding scale of rates; adjustments) and 1311 (relating to valuation of and return on the property of a public utility), made by this act shall take effect in 60 days.

(b) The amendment to 66 Pa.C.S. § 1308(d.1) (relating to voluntary changes in rates), made by this act shall take effect immediately.

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

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

Mr. LLOYD. Thank you, Mr. Speaker.

This amendment does two things, the first of which is technical. This bill is an attempt to stop the Philadelphia Electric Company and other utility companies from filing for a second rate increase when they still have a request pending before the Public Utility Commission. As the bill came over from the Senate, however, it excluded some language which would say that the company cannot file a new rate increase until one of two things happens - either the first case is decided, or, if the commission does not meet the statutory 9-month deadline, until that deadline has passed. This amendment clarifies that.

Secondly, and most importantly, as the bill came over from the Senate the effective date of the antipancaking provision is 60 days after enactment. We do not know when the Senate is going to pass this - maybe today; maybe not until September - but PECO is saying that it is going to come back in late September or October. Therefore, this amendment proposes to make that section of the bill applicable immediately upon passage so that we do not create a window through which that company can crawl. I would ask for a "yes" vote.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. POTT. Mr. Speaker, has this amendment been circulated?

The SPEAKER. The Chair was informed that it has been.
Mr. LLOYD. Last night, Mr. Speaker.

Mr. POTT. The amendment that we have circulated is 3310?

The SPEAKER. No, 3661. It was circulated last night. If Mr. Pott docs not have a copy, will the pages see that he gets one? Thank you.

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

The following roll call was recorded:

YEAS—192

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

NAYS—1

Perzel

NOT VOTING—7

Carn	DeWeese	Hoeffel	McIntyre
Colafella	Harper	Levin	

EXCUSED—2

Donatucci Marmion

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—197

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

NAYS—0

NOT VOTING—3

Broujos McIntyre Williams

EXCUSED—2

Donatucci Marmion

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

Mrs. HARPER. Thank you, Mr. Speaker.

On the Lloyd amendment A3661 to SB 1329, I was out of my seat. Had I been in my seat, I would have voted in the affirmative.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of SB 1289, PN 1795, entitled:

An Act amending the act of June 23, 1931 (P. L. 899, No. 299), entitled "Public Bathing Law," restricting the definition of public bathing place.

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 Fargo Livengood Rudy
Alderette Fattah Lloyd Ryan
Angstadt Fee Lucyk Rybak
Armstrong Fischer McCall Saloom
Arty Flick McClatchy Salvatore
Baldwin Foster, W. W. McHale Saurman
Barber Foster, Jr., A. McMonagle Scheetz
Battisto Freeman McVerry Semmel
Bclardi Freind Mackowski Serafini
Belfanti Fryer Madigan Seventy
Blaum Gallagher Maiale Showers
Book Gallen Manderimo Sirianni
Bowser Gamble Mann Miller Smith, B.
Boyes Gannon Markosek Smith, L. E.
Brandt Geist Mayernik Snyder, D. W.
Broujos George Merry Snyder, G. M.
Bunt Gladeck Michlovic Spencer
Burd Godshall Micozzie Spitz

Burns Greenwood Miller Stairs
Caltagirone Grieco Miscevic Steighner
Cappabianca Gruitza Moehlmann Stevens
Carn Gruppo Morris Stewart
Cawley Hagarty Mowery Stuban
Cessar Haluska Mrkonic Swift
Cimini Harper Murphy Taylor, E. Z.
Civera Hasay Nahill Taylor, F. E.
Clark Hayes Noye Telek
Clymer Herman O'Brien Tiguc
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 Klingaman Pistella Williams
Daley Kosinski Pitts Wilson
Davies Kowalshyn Pott Wogan
Dawida Kukovich Pratt Wozniak
Deal Lashinger Preston Wright, D. R.
Dietz Laughlin Punt Wright, J. L.
Dininni Lehr Rappaport Wright, R. C.
Dombrowski Lescovitz Reber Zwick
Dorr Letterman Reinard
Duffy Levi Richardson Irvis,
Durham Levin Rieger Speaker
Evans Linton Robbins

NAYS—1

Schuler

NOT VOTING—2

McIntyre Sweet

EXCUSED—2

Donatucci Marmion

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 299, PN 503, entitled:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, permitting the use of suppressed voluntary admissions or confessions to impeach a defendant's credibility.

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—193

Afflerbach	Evans	Lloyd	Ryan
Alderette	Fargo	Lucyk	Rybak
Angstadt	Fattah	McCall	Saloom
Armstrong	Fee	McClatchy	Salvatore
Arty	Fischer	McHale	Saurman
Baldwin	Flick	McMonagle	Scheetz
Barber	Foster, W. W.	McVerry	Semmel
Battisto	Foster, Jr., A.	Mackowski	Seraffini
Belardi	Freind	Madigan	Seventy
Belfanti	Fryer	Maiale	Showers
Blaum	Gallagher	Manderino	Sirianni
Book	Gallen	Manmiller	Smith, B.
Bowser	Gamble	Markosek	Smith, L. E.
Boyes	Geist	Mayernik	Snyder, D. W.
Brandt	George	Michlovic	Snyder, G. M.
Broujos	Gladeck	Micozzie	Spencer
Bunt	Godshall	Miller	Spitz
Burd	Greenwood	Miscevich	Stairs
Burns	Grieco	Moehlmann	Steighner
Caltagirone	Gruitza	Morris	Stevens
Cappabianca	Gruppo	Mowery	Stewart
Carn	Hagarty	Mrkonic	Stuban
Cawley	Haluska	Murphy	Swift
Cessar	Harper	Nahill	Taylor, E. Z.
Cimini	Hasay	Noye	Taylor, F. E.
Civera	Hayes	O'Brien	Telek
Clark	Herman	O'Donnell	Tigue
Clymer	Hershey	Olasz	Trello
Cohen	Hoefel	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	Klingaman	Pitts	Williams
DeWeese	Kosinski	Pott	Wilson
Daley	Kowalshyn	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	
Dorr	Levin	Rieger	Irvis,
Duffy	Linton	Robbins	Speaker
Durham	Livengood	Rudy	

NAYS—2

Freeman Kukovich

NOT VOTING—5

Gannon Merry Schuler Sweet
McIntyre

EXCUSED—2

Donatucci Marmion

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

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

REMARKS ON VOTES

The SPEAKER. The Chair recognizes the gentleman from Crawford, Mr. Merry.

Mr. MERRY. Mr. Speaker, on SB 299 my vote failed to record. Could I be recorded as voting in the affirmative?

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

The Chair recognizes the gentleman from Washington, Mr. Sweet, for a correction.

Mr. SWEET. Mr. Speaker, I inadvertently was not recorded on SB 299 and would like to be recorded in the affirmative.

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

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

Mr. SCHULER. Mr. Speaker, on SB 1289 I was recorded in the negative. I would like to be recorded in the affirmative. Thank you.

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

HOUSE SCHEDULE

The SPEAKER. For those of you who are concerned about today's schedule, the Chair would advise you that the Senate is not going into session until 1 o'clock. The Chair's experience has been, in these last hectic moments of the session, that when that happens, we are apt to be here for the rest of the day. We do not anticipate, necessarily, a very long day, but it will not be a short one either.

RECESS

The SPEAKER. The Chair declares a recess now for lunch until 12:45.

AFTER RECESS

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

REMARKS ON VOTES

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

Mr. PERZEL. I would like to change my vote on one of the amendments, Mr. Speaker.

On SB 1329, amendment A3661, I was inadvertently recorded in the negative and would like to be recorded in the affirmative.

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

Mr. PERZEL. Thank you, Mr. Speaker.

The SPEAKER. For what purpose does the gentleman from Northampton, Mr. Freeman, rise?

Mr. FREEMAN. Thank you, Mr. Speaker.

I rise to note a correction in my vote.

The SPEAKER. The gentleman will make the correction for the record.

Mr. FREEMAN. Earlier this morning on SB 299, I was recorded in the negative. I would like to be recorded in the affirmative.

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

Mr. FREEMAN. Thank you, Mr. Speaker.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurrent in by the House of Representatives to **HB 2059, PN 3335**, and has appointed Senators TILGHMAN, STAUFFER and MELLOW a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurrent in by the House of Representatives to **HB 2074, PN 3336**, and has appointed Senators TILGHMAN, STAUFFER and MELLOW a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurrent in by the House of Representatives to **HB 2082, PN 3337**, and has appointed Senators TILGHMAN, STAUFFER and MELLOW a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

SENATE MESSAGE

SENATE INSISTS ON AMENDMENTS NONCONCURRED IN BY HOUSE

The clerk of the Senate, being introduced, informed that the Senate has insisted upon its amendments nonconcurrent in by the House of Representatives to **HB 2088, PN 3338**, and has appointed Senators TILGHMAN, STAUFFER and MELLOW a committee of conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two Houses in relation to said bill.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. PIEVSKY presented the Report of the Committee of Conference on **HB 2053, PN 3391**.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. PIEVSKY presented the Report of the Committee of Conference on **HB 2114, PN 3400**.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. PIEVSKY presented the Report of the Committee of Conference on **HB 2055, PN 3393**.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. PIEVSKY presented the Report of the Committee of Conference on **HB 2056, PN 3394**.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. PIEVSKY presented the Report of the Committee of Conference on **HB 2059, PN 3395**.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. PIEVSKY presented the Report of the Committee of Conference on **HB 2074, PN 3396**.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. PIEVSKY presented the Report of the Committee of Conference on **HB 2082, PN 3397**.

**REPORT OF COMMITTEE
OF CONFERENCE PRESENTED**

Mr. PIEVSKY presented the Report of the Committee of Conference on **HB 2088, PN 3398**.

**REPORT OF COMMITTEE
OF CONFERENCE PRESENTED**

Mr. PIEVSKY presented the Report of the Committee of Conference on **HB 2054, PN 3392**.

**REPORT OF COMMITTEE
OF CONFERENCE PRESENTED**

Mr. PIEVSKY presented the Report of the Committee of Conference on **HB 2052, PN 3390**.

**REPORT OF COMMITTEE
OF CONFERENCE PRESENTED**

Mr. RAPPAPORT presented the Report of the Committee of Conference on **HB 88, PN 3399**.

**SUPPLEMENTAL CALENDAR A
REPORT OF COMMITTEE
OF CONFERENCE CONSIDERED**

Mr. GALLAGHER called up for consideration the following Report of the Committee of Conference on **HB 690, PN 3388**, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for certain construction and repairs and the letting of certain contracts; further providing for contracts with certain private institutions; providing for the interpretation and construction of certain collective bargaining agreements; providing a compensation plan for school administrators; further providing for the assignment of pupils to schools; providing for remedial education programs; further defining "Factor for Educational Expense"; further providing for payments on account of instruction; limiting certain payments; and making editorial changes.

On the question,

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

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

Mr. GALLAGHER. Mr. Speaker, I move for concurrence on HB 690, the conference committee report.

The SPEAKER. It has been moved by the gentleman, Mr. Gallagher, that the House adopt the Committee of Conference Report on HB 690, PN 3388.

On the motion, the Chair recognizes the gentleman from Delaware, Mr. Freind.

Mr. FREIND. Thank you, Mr. Speaker.

HB 690 represents a large amount of the educational package of the whole budget procedure. As the memo which

we sent to each one of you indicates, there are many good things in this conference report. There is, however, what we consider to be a glaring problem that is so great that I and I know a number of other members are going to vote against this conference report and urge our colleagues to do so.

I think it is important that each member be aware specifically of what the problem is. When we enacted the new subsidy formula a couple of years back, we did away with the density and sparsity factors. What we did, however, was set up a statewide median of tax effort, and we said that if a school district taxed up to that median, they would get a bonus, and the bonus depended on a number of factors - population, number of WADM's (weighted average daily membership), population per square mile. Philadelphia and Pittsburgh, if those two districts taxed up to the median, would receive a bonus of 19 percent, an additional 19 percent of subsidy money. The rest of the districts, depending on their size, would receive a bonus of either 5 percent, 3 percent, or 1 percent. Fine. We adopted that; nobody is quarreling with that.

Since that time, Philadelphia has taxed up to the median limit. Philadelphia has a problem right now, and it is largely beyond their control. Philadelphia is in danger this year of going underneath that median limit. If they do, they will lose for this year under the new figures \$17.6 million. A couple of the reasons why Philly might go under are because money that used to come from them, from tax money from the racetrack, has been designated elsewhere. I believe we did that. In addition, Philly is attempting to attract new business, and they have a program with new business buildings where they are exempted for 5 years from paying a real estate tax, and nobody argues with that. So they are not getting any tax for that, and yet it is on the rolls for the market value, so they have the worst of both worlds.

Philly has a legitimate problem. This is not a suburban Philadelphia battle at all. Many of our colleagues were willing to help Philadelphia out with this problem, and starting several weeks ago I met with the lobbyist for the Philadelphia School District and a number of key legislators from Philadelphia. What Philadelphia wants is to be exempted from this requirement to tax up to the statewide median, and we said, we are willing to help you, but you cannot do it permanently; how about a 2-year sunset? And they said, yes, we can agree to that; a 2-year sunset will solve our problems. So we had the Representatives from Philadelphia, a number of key legislators, and the lobbyist from Philadelphia agreeing, yes, we will go along with the 2-year sunset. We thought that had been agreed with everyone.

Through a problem yesterday—I do not know exactly what the problem was, and I am sure it was no one's fault—HB 690 right now has no set sunset. There is no sunset. You should be aware that if you vote for HB 690 in its present form, what you are doing—and this involves 500 districts outside Philadelphia—is you are voting for a permanent change whereby one school district does not have to tax up to the same rate as everyone else and yet receives the bonus. You are

voting for a permanent dual system with respect to the way we fund our school systems.

It should be noted that because of the language of the bill, Pittsburgh is also included in this, but since Pittsburgh taxes so far over the median limit, they are actually not affected at all. This only relates to Philadelphia. It is a shame the problem had to come up, because we had an agreement to help out Philadelphia by exempting them but doing it for 2 years. This is an issue that does not just involve Delaware and Montgomery County, but it involves Venango and Tioga and you name it.

Now, I am not going to tell you—because it is not my place to—you had better watch and you cannot justify this if you vote for it. That is up to you. I will just tell you my personal opinion. I have been elected five times; I come from a relatively strong Republican district; and I feel—casting modesty aside, a task which I have never found particularly difficult—that I have always been able to pretty well justify my votes to my constituency. But my personal opinion is that if I vote for HB 690, I will have a difficult, if not impossible, time justifying why I voted to permanently establish a dual system, which makes the 500 other school districts second-class citizens.

What can we do about the problem right now? Very simply, if we vote to nonconcur and send it back to a conference committee, you have to make one small change, about two lines, putting a 2-year sunset provision in, which Philadelphia has agreed to. This could be done in 5 minutes. In fact, what we have done is taken the liberty just in case—The decision is up to you, but in case you do share our opinion, the conference report is drafted. We would be happy to hand it to the conferees. They could go off the floor, accept the already-agreed-upon-by-Philadelphia 2-year sunset, and bring it back.

For the reasons that I have set forth, because I think it is tremendously dangerous to set up this dual system, I sincerely hope that we will vote in the negative, send it back to conference, and get the job done right. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I did not intend to speak on the issue, but the gentleman, Mr. Freind, made some statements that I think the members of the House ought to have at least my understanding of.

I do not know who Mr. Freind had an agreement with, but I sat in leadership conferences for months and I never heard of such an agreement on a sunset. Mr. Speaker, the first time I heard about it was yesterday, and that is why it does not appear in the bill. Mr. Freind, I think, knows that. Mr. Freind never talked to me about the problem at all, ever.

Mr. Speaker, this business about a dual system that lasts forever, let us talk about the dual system. You think that we fixed up in the school subsidy program the Philadelphia problem without cost to the urban areas? There were several elements put into the formula that help only the rich districts, the rich in tax assessment districts, and there was no sunset put on those provisions. They will last forever, Mr. Speaker.

The minimum of 2 percent that we violated the formula of ESBE (equalized subsidy for basic education) with last year, which is raised to 3 percent this year, which is over and above what you are entitled to but we want to give everybody 2 or 3 percent whether they earn it or not, is a permanent change to the formula that will cost those districts that earn every penny under ESBE, every year it is going to cost them that extra money.

These were trade-offs that the leadership came to in trying to arrive at what was fair between all the competing elements. We did not sunset any of the provisions, not the ones that favored districts like yours nor the ones that favored, perhaps, the urban district that happens to be on my side.

Mr. Speaker, at one time we had a school subsidy formula that gave a minimum of 10 percent aid ratio, whether you earned it or not, and a maximum of 90 percent, even though you might earn 100 percent. We have moved the 10-percent minimum up to 15 percent, and every year there is pressure from those districts to go up to 20 percent, and when we went to 15 percent, we made it permanent; we locked it in. They get it every year, the extra 5 percent, and we never raised the 90-percent maximum to 95 percent, which might help some of the urban areas. So it is a trade-off, Mr. Speaker, and the trade-off is accomplished, it is fair, it is complete, and it is contained in the bill before you, HB 690. I suggest you vote for it.

WELCOME

The SPEAKER. The Chair is delighted to welcome to the hall of the House the Reverend and Mrs. Melvin Meade, particularly because the Chair had breakfast with the Reverend not too many years ago in Aliquippa. They are here as the guests of Representative Laughlin and Representative Pott, and they have brought Carroll Ann, who is 14; Melvin Carter, who is 12; Yolanda Alike, who is 9; and Natalie Marie, who is 7. Welcome to the hall of the House.

CONSIDERATION OF HB 690 CONTINUED

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I have had some painful jobs as a floor leader over the years, and I do not think anyone envies me the opportunity of disagreeing with a good friend and colleague, but I am in a position where I have to agree with Mr. Manderino and disagree in part, only the conclusion part, of my friend, Mr. Freind's statement.

I concur with Mr. Manderino in that there were trades made in connection with putting HB 690 into the posture that it is in right now. I said yesterday on the floor—I believe it was yesterday on the floor—that in the negotiations to solve the fiscal problems of this Commonwealth, one of the largest single items in connection with solving this problem was solving the fiscal school problems. How do we distribute moneys to the schools? Part of the negotiations that took place with the leadership concerned itself with, as Mr. Manderino pointed out, those districts that, unless we acted in some fashion, would receive little or no money; those districts that

Mr. Manderino said were the richer districts of the Commonwealth. I represent some of them. I represent some of the districts that are not the richer districts of the Commonwealth.

There was give and take in connection with arriving at the bill that is now before us in conference committee form, HB 690. I intend to vote for it. I recognize that there are certain political risks in everything I do up here. The political risks are not only with my constituents in the 168th District but also with my constituents in my Republican Caucus. A deal was struck; it was struck after long, hard negotiations. It is my intention, Mr. Speaker, to stand by that agreement and to ask those on this side of the aisle to stand with it as well. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. FLICK. Thank you, Mr. Speaker.

I feel very uneasy here at the microphone going against the leadership on this side of the aisle, but I think it is a matter of principle and I think it is a matter that when I cast a vote, I want it to be a meaningful vote; I want it to be a vote where I am well informed of what I am voting on.

I have no ill will against our two fine cities of Philadelphia and Pittsburgh, and I certainly think that we at the State level should help them. In many ways we do, and I think we should continue to help them. However, I feel that it is not proper that we waive the requirement for local taxation for these two school districts alone. I think this is something that benefits 2 school districts yet penalizes 499. I feel it is important that I stand here on this floor and let the members know that I also think that this is something they should consider when we vote on concurrence for HB 690. I personally do not feel that I can support this. I apologize to my leadership, but I will not support this bill.

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

Mrs. DURHAM. Thank you, Mr. Speaker.

Mr. Speaker, we are not faced with a unique situation today, but I think we are faced with one that affects the entire State of Pennsylvania. It affects each and every legislator.

I understand that the city of Philadelphia is trying to bring business to their city. I want them to bring business to their city and I want the city of Philadelphia to thrive, but each one of us in each legislative district has areas where we would like to bring in business, and we would like to be able to say to someone who is trying to establish a business in our legislative district, we will give you a tax break. That is what the city of Philadelphia is doing, and that is fine, but by doing that, they have accomplished a situation where they are not taxing at the same rate as the rest of the State. I would like to be able to say to my school districts, bring business in and do not worry; we will not have to tax at the same rate and we will still receive our full subsidy.

The city of Philadelphia has said that this is a temporary problem. I am not trying to kick somebody in the teeth when they are down. I am willing to give them a chance, but I am

saying, let us not make this a permanent situation where my constituents have to take the brunt of seeing this situation through. My legislative district is just as important as the city of Philadelphia, and your legislative district is just as important as the city of Philadelphia.

So what I am asking today is that we have equality in the school tax formula and that we vote "no" on the conference report and ask the conferees to give Philadelphia a 2-year sunset provision. Thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, there is one thing I forgot to mention, and Mrs. Durham reminded me. There were two reasons why Philadelphia fell below the equalized mills level that we all must achieve. One reason was the abatement program on taxes to attract industry. Another reason, significant reason, enough of a reason to make the difference between qualifying and not qualifying, was action that this General Assembly took to take a tax that was being paid in Philadelphia to the school district and give it to the racetracks and substitute \$3 1/2 million of General Fund money. Now, when that was done, that alone would have taken them to where they are estimated to be, and let us talk about where they are estimated to be - one-tenth of 1 percent below the average that everyone is talking about, and that one \$3 1/2-million item that we took care of here put them in that situation.

Now, let me just say one other thing. Mr. Freind, you do not seem to complain when a school district that you represent - Haverford Township School District - gets \$86,000 in one single shot this year, and they will get it next year and it will increase the year after, and your district does not earn that money. They do not earn that money under the formula that we have adopted. It is almost a gift to your district because you have complained that we do not get more than 80 percent of our entitlement. Well, the reason you do not get 80 percent of your entitlement is because the tax assessments in your district, the property values in your district, are projected to bring in so much money that you do not need the help from the State. But you came up here and argued for it anyway. What am I going to tell my constituents, who earn every penny of their school money, about why you got that money; not you alone, but 14 other of the districts, and they are getting it in this bill? I can only say that they are getting it because that was the price that I had to pay to patch up the Philadelphia problem. So quit complaining. Vote for the bill.

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

Mr. LAUGHLIN. Mr. Speaker, would the gentleman, Mr. Freind, please stand for brief interrogation?

The SPEAKER. The gentleman indicates he will be happy to so stand. The gentleman, Mr. Laughlin, may proceed.

Mr. LAUGHLIN. Mr. Speaker, in listening to the arguments on the floor of both the majority leader and those from the other side of the aisle, the crux of the argument, in fact, is a 2-year sunset provision within the legislation. Is that correct?

Mr. FREIND. That is correct.

Mr. LAUGHLIN. Mr. Speaker, this House meets on a regular basis, and we are in session year in and year out. Mr. Speaker, if you find that the city of Philadelphia and their school district are not making some reasonable attempt to satisfy the idea of this legislation and the intent of this legislation, you can certainly introduce a piece of legislation and have it considered to change that funding base and to take away that privilege. So, Mr. Speaker, if we are only arguing about a sunset provision, the House has it within its means, as the Senate has, to do something about it. Would you say that would be a fair assessment, Mr. Speaker?

Mr. FREIND. Mr. Speaker, we all know that once something is done, it is very difficult to undo it. I think it was 40 or 50 years ago that there was a flood in the west, and to help the west recover we put an 18-percent tax on liquor, and guess what, Mr. Speaker, it is still there. You and I both know it is infinitely more difficult to undo something permanent than to stop something once we sunset it. And since Philly has already said they will accept sunset, I do not see where there is a problem.

Mr. LAUGHLIN. Thank you, Mr. Speaker, for your response. I certainly concur with you that years ago that was the case. I would also say that on numerous occasions we have given grants in other areas of the State where those moneys certainly were cut back whenever that problem ceased to exist. I think we could handle the situation in the same fashion, and for that reason, Mr. Speaker, I would ask the members to vote against Mr. Freind's position. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Philadelphia, Mr. Levin, on the motion.

Mr. LEVIN. Mr. Speaker, I just want to make it clear to all the members that there has been no lessening of the effort of Philadelphia to collect its taxes. Its tax revenues have increased substantially, and as Mr. Freind admits in his letter to the members, the problems fall beyond the control of the city of Philadelphia. Part, as Mr. Manderino has already informed you, comes from a tax which was removed from this body. A third is a court-ordered reassessment procedure, which is taking place over a 6-year period.

Mr. Freind asks for a 2-year sunset. Mr. Laughlin has clearly indicated to the members of this floor that we meet every year and we adopt a school formula. This provision is part of that formula for the distribution of funding. It has to be enacted each year. We will all have an opportunity to participate in it each and every year, and if ever Mr. Freind or any one of the other members believes that Philadelphia is significantly reducing its own effort, we will at that time meet an avalanche of criticism. It is simply not true. We are increasing our effort; we are falling below this formula on a technical basis through no fault of our own, and it is only fair that this conference committee report be accepted as drafted, and I ask the members to adopt the conference committee report.

The SPEAKER. On the question, for the second time, the Chair recognizes the gentleman, Mr. Freind.

Mr. FREIND. Very briefly, Mr. Speaker, I agree with a lot of what Steve Levin and Jim Manderino have said. We ourselves said at the outset that Philly, through reasons beyond its control, might fall under the limit. When I first spoke, I said part of the reason was because of what we did, taking some of their horserace taxes away. I agree with Jim Manderino on that, and I agree with Jim Manderino on the fact that when you are trying to put together a subsidy package, there is give and take. Sure, my district does pretty good this time—when I say “pretty good,” it is as good as a 1-5 district can do—and I am grateful, and I will take it, and I appreciate it.

We understood that Philly and Pittsburgh had special needs when we used to have density and under the new formula when we put in the 19-percent bonus. That is a give, and they have special needs. Our rural areas have special needs, and it is a matter of giving and taking and helping each other out. Absolutely. And we know that philosophy goes out the window; you look at the numbers. We are talking about something way beyond that, Mr. Speaker, a reason that, in my opinion, is so important, despite the fact that my district is going to make some more money, I think we have to vote “no.”

We are willing to help Philadelphia out with its problem, with no bargaining chip in return; never asked for one. Your own members will tell you, the members whom I talked to, Mr. Speaker, about this. And I also talked to the lobbyists for the Philadelphia School District; they agreed. They have an immediate problem. A 2-year sunset will solve that problem. If you do not put the sunset on, though, we are all human, and what you are saying is that one school district henceforth does not have to tax up to the median. It is \$17.6 million this year, Mr. Speaker, but if we fully fund the formula, that amount will be \$111 million as a bonus, despite the fact that you have not taxed up to your effort.

I think the issue is pretty clear, Mr. Speaker. We are not talking about taking any money at all from Philly; we are talking about helping Philly. We are just saying, do the responsible thing; sunset it for 2 years. I would ask for your support in rejecting this conference report. Thank you.

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—160

Afflerbach	Diminni	Lucyk	Robbins
Armstrong	Dombrowski	McCall	Ryan
Arty	Duffy	McClatchy	Saloom
Baldwin	Evans	McIntyre	Salvatore
Barber	Fattah	McMonagle	Saurman
Battisto	Fee	Mackowski	Schuler
Belardi	Foster, W. W.	Madigan	Semmel
Belfanti	Foster, Jr., A.	Maiale	Seventy
Blaum	Freeman	Manderino	Showers
Book	Gallagher	Manmiller	Sirianni
Bowser	Gamble	Markosek	Smith, L. E.
Boyes	Geist	Mayernik	Snyder, D. W.
Brandt	Greenwood	Merry	Spencer
Broujos	Grieco	Michlovic	Stairs
Bunt	Gruitza	Miller	Steighner

Burd	Gruppo	Miscevich	Stevens
Burns	Hagarty	Moehlmann	Stewart
Caltagirone	Harper	Mowery	Stuban
Cappabianca	Hasay	Mrkonic	Sweet
Carn	Hayes	Murphy	Taylor, F. E.
Cawley	Herman	Noye	Telek
Cessar	Honaman	O'Brien	Trello
Cimini	Hutchinson	O'Donnell	Truman
Clark	Itkin	Olasz	Van Horne
Clymer	Jackson	Oliver	Wachob
Cohen	Jarolin	Perzel	Wambach
Colafella	Johnson	Petrarca	Wargo
Cole	Kasunic	Petrone	Wass
Cordisco	Kennedy	Phillips	Weston
Cornell	Klingaman	Piccola	Wiggins
Coslett	Kosinski	Pievsky	Williams
Cowell	Kowalyshyn	Pistella	Wogan
Coy	Kukovich	Pratt	Wozniak
Deluca	Lashinger	Preston	Wright, D. R.
DeVertter	Laughlin	Punt	Wright, J. L.
DeWeese	Lehr	Rappaport	Wright, R. C.
Daley	Lescovitz	Reber	Zwinkl
Davies	Levin	Reinard	
Dawida	Linton	Richardson	Irvis,
Deal	Livengood	Rieger	Speaker
Dietz	Lloyd		

NAYS—39

Alderette	Gallen	McHale	Scheetz
Angstadt	Gannon	McVerry	Serafini
Civera	George	Micozzie	Smith, B.
Dorr	Gladeck	Morris	Snyder, G. M.
Durham	Godshall	Nahill	Swift
Fargo	Haluska	Peterson	Taylor, E. Z.
Fischer	Hershey	Pitts	Tigue
Flick	Hoefel	Pott	Vroon
Freind	Letterman	Rudy	Wilson
Fryer	Levi	Rybak	

NOT VOTING—1

Spitz

EXCUSED—2

Donatucci Marmion

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.

**SUPPLEMENTAL CALENDAR B
RESOLUTION ON CONCURRENCE
IN SENATE AMENDMENTS**

The clerk of the Senate, being introduced, returned the following **HR 167, PN 3314**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

Directing the Joint State Government Commission to appoint a task force to study ways in which the Commonwealth can reduce the competition with private enterprise.

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

PARLIAMENTARY INQUIRY

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

Mr. CAPPABIANCA. Mr. Speaker, a bit of information. I have been informed that the Senate concurred in SR 86, which I believe we amended and put this entire HR 167 into. Does that create a problem?

The SPEAKER. The Chair has not been so informed. The House will stand at ease.

The Chair knows nothing of that, Mr. Cappabianca. The House will proceed with its business. What is your recommendation as to whether or not the House should concur in the Senate amendments?

Mr. CAPPABIANCA. Give me a minute, Mr. Speaker.

The SPEAKER. The House will stand at ease.

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Cambria, Mr. Haluska, rise?

Mr. HALUSKA. Mr. Speaker, on HB 690 I voted in the negative. I would like to be recorded in the affirmative on the conference committee report.

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

CONSIDERATION OF HR 167 CONTINUED

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

Mr. CAPPABIANCA. Thank you, Mr. Speaker. Thank you for your patience.

I would suggest that the House concur in the Senate amendments to HR 167.

The SPEAKER. It has been moved by the gentleman, Mr. Cappabianca, that the House do concur in amendments inserted by the Senate to HR 167.

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

The following roll call was recorded:

YEAS—190

Afflerbach	Evans	McCall	Ryan
Alderette	Fargo	McClatchy	Rybak
Angstadt	Fattah	McHale	Saloom
Armstrong	Fee	McIntyre	Salvatore
Arty	Fischer	McMonagle	Saurman
Baldwin	Flick	McVerry	Scheetz
Barber	Foster, W. W.	Mackowski	Schuler
Battisto	Foster, Jr., A.	Madigan	Semmel
Belardi	Freeman	Maiale	Serafini
Belfanti	Freind	Manderino	Seventy
Book	Fryer	Manmiller	Showers
Bowser	Gallagher	Markosek	Sirianni
Boyes	Gallen	Mayermik	Smith, B.
Brandt	Gamble	Merry	Smith, L. E.
Broujos	Gannon	Michlovic	Snyder, D. W.
Bunt	Geist	Micozzie	Snyder, G. M.
Burd	George	Miller	Spencer
Burns	Godshall	Miscevich	Spitz
Caltagirone	Greenwood	Moehlmann	Stairs

Cappabianca	Grieco	Morris	Steighner
Carn	Gruitza	Mowery	Stevens
Cawley	Gruppo	Mrkonie	Stewart
Cessar	Haluska	Murphy	Suban
Cimini	Harper	Noye	Sweet
Civera	Hasay	O'Brien	Swift
Clark	Hayes	O'Donnell	Taylor, E. Z.
Clymer	Herman	Olasz	Taylor, F. E.
Cohen	Hershey	Oliver	Telek
Colafiglia	Honaman	Perzel	Tigue
Cole	Itkin	Peterson	Trello
Cordisco	Jackson	Petrarca	Truman
Cornell	Jarolin	Petrone	Van Horne
Coslett	Johnson	Phillips	Wachob
Cowell	Kasunic	Piccola	Wambach
Coy	Kennedy	Pievsky	Wargo
Deluca	Klingaman	Pistella	Wass
DeVerter	Kosinski	Pitts	Weston
DeWeese	Kowalshyn	Pott	Wiggins
Daley	Kukovich	Pratt	Wilson
Davies	Lashinger	Preston	Wogan
Dawida	Laughlin	Punt	Wozniak
Deal	Lehr	Rappaport	Wright, D. R.
Dietz	Lescovitz	Reber	Wright, J. L.
Dininni	Levi	Reinard	Wright, R. C.
Dombrowski	Linton	Richardson	Zwinkl
Dorr	Livengood	Rieger	
Duffy	Lloyd	Robbins	Irvis,
Durham	Lucyk	Rudy	Speaker

NAYS—4

Gladeck	Hagarty	Nahill	Vroon
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NOT VOTING—6

Blaum	Hutchinson	Levin	Williams
Hoelfel	Letterman		

EXCUSED—2

Donatucci	Marmion
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The question was determined in the affirmative, and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The House will be at ease following an announcement by the gentleman from Philadelphia, Mr. Pievsky.

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, there will be a meeting of the House Appropriations Committee immediately at the rear of the chambers.

The SPEAKER. An Appropriations Committee meeting immediately in the rear of the chambers.

The House will stand at ease.

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Luzerne, Mr. Blaum, rise?

Mr. BLAUM. Thank you, Mr. Speaker.

My switch did not operate on HR 167. I would like to be recorded in the affirmative on concurrence in Senate amendments.

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

WELCOME

The SPEAKER. The Chair is delighted to welcome to the hall of the House, as guests of Representative Book, members from the VFW Post 1810 in Allegheny County - Charles Bates, Paul Bernarding, and Roxy Landis. Welcome to the hall of the House. Thank you very much for coming, veterans.

BILLS REREPORTED FROM COMMITTEE

SB 860, PN 2240 (Amended)

By Rep. PIEVSKY

An Act establishing certain fees to be charged by the Clerk of Quarter Sessions of Philadelphia.

APPROPRIATIONS.

SB 1044, PN 2241 (Amended)

By Rep. PIEVSKY

An Act making an appropriation to the Department of Public Welfare for legal services.

APPROPRIATIONS.

SB 1339, PN 2242 (Amended)

By Rep. PIEVSKY

An Act amending the act of July 29, 1953 (P. L. 1034, No. 270), entitled "An act creating as bodies corporate and politic "Public Auditorium Authorities" in counties of the second class and in cities of the second class, singly or jointly; prescribing the rights, powers and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain and operate public auditoriums; to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; empowering such Authorities to enter into contracts, leases and licenses with and to accept grants from private sources, the Federal Government, State, political subdivisions of the State or any agency thereof; authorizing the making of said grants from bond funds or current revenues; authorizing Authorities to collect rentals, admissions, license fees for the use of the project; exempting the property and securities of such Public Auditorium Authorities from taxation," extending the provisions of this law to cities of the second class A and counties in which a city of the second class A is located; and making editorial changes.

APPROPRIATIONS.

SUPPLEMENTAL CALENDAR C

REPORTS OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. PIEVSKY called up for consideration the following Report of the Committee of Conference on **HB 2052, PN 3390**, entitled:

A Supplement to the act of April 1, 1863 (P. L. 213, No. 227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

On the question,

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

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

YEAS—199

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

NAYS—0

NOT VOTING—1

McVerry

EXCUSED—2

Donatucci Marmion

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.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. McVerry. For what purpose do you rise, sir?

Mr. McVERRY. Mr. Speaker, the Conference Report on HB 2052 and, to the best of my knowledge, the reports on the remaining bills on supplemental calendar C have not been distributed nor has any explanation been offered as to what is contained in those conference reports. Are we entitled to that information?

The SPEAKER. You certainly are.

Is it true that they have not been distributed?

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I think Mr. Manderino and I both owe an apology to our caucuses, because we, very frankly, together with other leaders, discussed the question of whether or not we should reproduce every one of these non-preferred bills and run them, and we made a decision—and I am apologizing on behalf of both of us, frankly—that we would first check with the floor generally, instruct the floor that everything that was being run in these nonpreferred bills is exactly as presented to the two caucuses yesterday in the tab run. There are no changes whatsoever in any one of the non-preferred bills from the tab runs that were presented to the caucuses yesterday. I believe that is without any qualification. Is that right, Mr. Manderino? He advises me that is right.

The decision, frankly, that was made was that there are some 20 or 30, I suppose—I have not counted them—bills. To reproduce these 20 or 30 bills times 200 to distribute on the floor, when they are things that have been caucused on and there have been no changes whatsoever from the tab runs that were provided to each member— The only difference between the tab run information and the information in the conference committee report itself is that there are a lot of words around it, but the numbers are the essential part of each one of these appropriations, and they are exactly as they appear on the tab run that every member of this House has.

So it was for this reason that we suggested the run be made today, the votes be made today, and if there is objection, I suppose the Chair can put us at ease until all of these things are reproduced some 220 times, and then you will have in three or four pages what appears in a short column on the tab run that you were provided with yesterday. I, frankly, do not see any sense in going to that expense. There is no additional information in the bill than is on the tab run.

I would ask Mr. Manderino to address his caucus to that same effect, if he concurs in what I have said, because I have been presumptuous in saying that I believe he feels the same way.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the gentleman is correct that the bills have all been amended that are coming back to us in conference reports. They have been amended to reflect the exact amounts that were in the tab runs that were given to each of the members with the budget tab run.

The next bill, which is the Pitt bill, with which there is some minor problem, not with the amounts but with the understanding that some of the members may have had, is being gone over temporarily, Mr. Speaker. Maybe before the end of the day, you will need something and we will be able to talk again. If there is no objection, I would like to go over the next bill temporarily and then continue with the others.

The SPEAKER. The Chair hears no objection to passing over temporarily HB 2053, the University of Pittsburgh bill.

* * *

Mr. PIEVSKY called up for consideration the following Report of the Committee of Conference on **HB 2054, PN 3392**, entitled:

A Supplement to the act of November 30, 1965 (P. L. 843, No. 355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; * * *," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

On the question,

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

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

YEAS—199

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

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

NAYS—1

Petrarca

NOT VOTING—0

EXCUSED—2

Donatucci Marmion

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.

* * *

Mr. PIEVSKY called up for consideration the following Report of the Committee of Conference on **HB 2055, PN 3393**, entitled:

A Supplement to the act of July 7, 1972 (P. L. 743, No. 176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; * * *," making appropriations for carrying the same into effect; providing for a basis for payment of such appropriations; and providing a method of accounting for the funds appropriated.

On the question,

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

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

YEAS—200

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

Cessar	Harper	Murphy	Sweet
Cimini	Hasay	Nahill	Swift
Civera	Hayes	Noye	Taylor, E. Z.
Clark	Herman	O'Brien	Taylor, F. E.
Clymer	Hershey	O'Donnell	Telek
Cohen	Hoefel	Olasz	Tigue
Colafella	Honaman	Oliver	Trello
Cole	Hutchinson	Perzel	Truman
Cordisco	Itkin	Peterson	Van Horne
Cornell	Jackson	Petrarca	Vroon
Coslett	Jarolin	Petrone	Wachob
Cowell	Johnson	Phillips	Wambach
Coy	Kasunic	Piccola	Wargo
Deluca	Kennedy	Pievsky	Wass
DeVerter	Klingaman	Pistella	Weston
DeWeese	Kosinski	Pitts	Wiggins
Daley	Kowalyshyn	Pott	Williams
Davies	Kukovich	Pratt	Wilson
Dawida	Lashingier	Preston	Wogan
Deal	Laughlin	Punt	Wozniak
Dietz	Lehr	Rappaport	Wright, D. R.
Dininni	Lescovitz	Reber	Wright, J. L.
Dombrowski	Letterman	Reinard	Wright, R. C.
Dorr	Levi	Richardson	Zwinkl
Duffy	Levin	Rieger	
Durham	Linton	Robbins	Irvis,
Evans	Livengood	Rudy	Speaker
Fargo	Lloyd		

NAYS—0

NOT VOTING—0

EXCUSED—2

Donatucci Marmion

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.

* * *

Mr. PIEVSKY called up for consideration the following Report of the Committee of Conference on **HB 2056, PN 3394**, entitled:

An Act making appropriations to the Trustees of the University of Pennsylvania.

On the question,

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

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

YEAS—199

Afflerbach	Fattah	Lloyd	Rudy
Alderette	Fee	Lucyk	Ryan
Angstadt	Fischer	McCall	Rybak
Armstrong	Flick	McClatchy	Saloom
Arty	Foster, W. W.	McHale	Salvatore
Baldwin	Foster, Jr., A.	McIntyre	Saurman
Barber	Freeman	McMonagle	Scheetz
Battisto	Freind	McVerry	Schuler
Belardi	Fryer	Mackowski	Semmel
Belfanti	Gallagher	Madigan	Serafini
Blaum	Gallen	Maiale	Seventy
Book	Gamble	Manderino	Showers
Bowser	Gannon	Manmiller	Sirianni
Boyes	Geist	Markosek	Smith, B.
Brandt	George	Mayernik	Smith, L. E.

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

NAYS—0

NOT VOTING—1

Truman

EXCUSED—2

Donatucci Marmion

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.

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Mr. PIEVSKY called up for consideration the following Report of the Committee of Conference on **HB 2059, PN 3395**, entitled:

An Act making appropriations to The Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

On the question,

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

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

YEAS—191

Afflerbach	Fargo	Livengood	Rudy
Alderette	Fee	Lloyd	Ryan
Angstadt	Fischer	Lucyk	Rybak
Armstrong	Flick	McCall	Saloom
Arty	Foster, W. W.	McClatchy	Salvatore
Baldwin	Foster, Jr., A.	McHale	Saurman

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

NAYS—6

Carn	Preston	Wiggins
Linton	Richardson	

Irvis,
Speaker

NOT VOTING—3

Barber	Fattah	Oliver
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EXCUSED—2

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

Ordered, That the clerk inform the Senate accordingly.

* * *

Mr. PIEVSKY called up for consideration the following Report of the Committee of Conference on **HB 2074, PN 3396**, entitled:

An Act making an appropriation to the Wistar Institute-Research, Philadelphia.

On the question,

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

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

YEAS—199

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

NAYS—0

NOT VOTING—1

McMonagle

EXCUSED—2

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

Ordered, That the clerk inform the Senate accordingly.

* * *

Mr. PIEVSKY called up for consideration the following Report of the Committee of Conference on **HB 2082, PN 3397**, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University of Pennsylvania Museum and Morris Arboretum.

On the question,

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

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

YEAS—199

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

NAYS—0

NOT VOTING—1

Mrkonic

EXCUSED—2

Donatucci Marmion

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.

* * *

Mr. PIEVSKY called up for consideration the following Report of the Committee of Conference on **HB 2088, PN 3398**, entitled:

An Act making an appropriation to Thomas Jefferson University of Philadelphia, Pennsylvania for the Children's Heart Hospital, Philadelphia, Pennsylvania.

On the question,

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

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

YEAS—199

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

Dawida	Lashing	Preston	Wogan
Deal	Laughlin	Punt	Wozniak
Dietz	Lehr	Rappaport	Wright, D. R.
Dininni	Lescovitz	Reber	Wright, J. L.
Dombrowski	Letterman	Reinard	Wright, R. C.
Dorr	Levi	Richardson	Zwinkl
Duffy	Levin	Rieger	
Durham	Linton	Robbins	Irvis,
Evans	Livengood	Rudy	Speaker
Fargo			

NAYS—0

NOT VOTING—1

McMonagle

EXCUSED—2

Donatucci Marmion

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.

ADDITIONS OF SPONSORS

The SPEAKER. The Chair acknowledges receipt of a list of additions for sponsorships of bills filed by the majority leader, which the clerk will file.

The following list of additions was submitted:

HB 2341, Petrone; HB 2358, R. C. Wright, Petrone; HB 2359, Petrone; HB 2360, Petrone.

SUPPLEMENTAL CALENDAR D

REPORT OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. RAPPAPORT called up for consideration the following Report of the Committee of Conference on **HB 88, PN 3399**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for additional judges for the courts of common pleas, compensation of assigned district justices and assignment of senior Philadelphia Municipal Court judges.

On the question,

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

The SPEAKER. On the committee of conference report, the Chair recognizes the gentleman from Lawrence, Mr. Pratt.

Mr. PRATT. Thank you, Mr. Speaker.

Mr. Speaker, what the conferees did with HB 88 was, in essence, insert HB 1579, which passed this body a couple of weeks ago.

Mr. Speaker, I do not rise with the foolish intent that I will change any minds or votes this afternoon, but I would like to make a few observations, Mr. Speaker.

This bill is going to pass, probably handsomely, Mr. Speaker, but you should be aware that this bill creates 20 additional judgeships in 18 counties, only 7 of which, Mr. Speaker, in my mind and in the mind of the State Court Administrator's Office, are actually needed.

Mr. Speaker, HB 88 is really an early Christmas gift. There are 13 gifts in here, Mr. Speaker, from Santa Claus for Santa's helpers. One of those 13, Mr. Speaker, is Lawrence County, but that is only one reason why I oppose HB 88.

Mr. Speaker, after this bill becomes law, there will be 325 court of common pleas judgeships in this State. In 1965 there were 150, despite the fact, Mr. Speaker, that the population of this State has been relatively stable since that date. But, Mr. Speaker, those of you who did not receive a gift in this bill, fear not, because in 2 or 3 or 4 years there will be another judicial bill before us, and if you mind your P's and Q's, you will get your little gift.

Mr. Speaker, my heart was breaking yesterday when I heard the minority and majority leaders talk about how bad they felt by not giving Beacon Lodge Camp that additional \$4,000 for the blind and about how this tight-fisted budget was put together by the conferees and they had to squeeze every dime out of the projected revenues, but yet here we are today, Mr. Speaker, throwing \$8 million down the toilet for 13 judgeships that are political Christmas gifts. Well, Mr. Speaker, I will not be a part of it. I am voting "no," but again, you vote the way your conscience tells you. Thank you, Mr. Speaker.

REMARKS SUBMITTED FOR THE RECORD

Mr. PRATT. Mr. Speaker, before I sit down, I would like to submit these comments for the record.

The SPEAKER. The gentleman will submit his remarks.

Mr. PRATT. Thank you, Mr. Speaker.

(For remarks, see Appendix.)

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Coy.

Mr. COY. Thank you, Mr. Speaker.

The bill that is currently before us, as Representative Pratt has already outlined, contains the addition of several judges across the Commonwealth. Several weeks ago, when the House of Representatives considered HB 1579, I introduced an amendment on the floor of the House, which was adopted almost unanimously, adding a third judge in the 39th Judicial District.

To say some of the things that I said before, I would indicate that Franklin County, the county that I am privileged to represent part of in the legislature, is a fifth-class county. In the 39th Judicial District, there are two counties, Franklin County and Fulton County. Currently in that district, there are two judges. In several other fifth-class counties across the State—I will not mention them by name, but you know where they are if you look at the list—there are already three judges. Several of the fifth-class counties in this bill go from two to three, and one of the fifth-class counties in the Common-

wealth of Pennsylvania in this bill goes from three to four. It is not by accident, Mr. Speaker, that that county is represented by the majority leader in the State Senate. Three to four, Mr. Speaker - a real savings of tax dollars, I would say.

It is, I suspect, a little bit like Representative Pratt said, foolhardy to believe that anything I say here will change a vote, but I do want to say that sometimes we do things that are fair around here, sometimes we do things that are political around here, and sometimes we do things that are actually and totally unfair. This bill and what is happening to the 39th Judicial District in Franklin and Fulton Counties, which deserves another judge without any question—both judges in the county concur with it; the court administrator concurs with it; the county bar association concurs with it; both legislators from Franklin County in this legislature concur with it; the State Senator who represents our district concurs with it; but the majority leader in the State Senate does not concur with it, apparently. It is apparent to me that there is more here than actually meets the eye, and I hope that someone takes a long, hard look as to what happened with this bill and remembers for a long time what happened with it.

As I said, I do not expect that we are going to change many votes, but I do think it is only a matter of fairness that counties of similar populations, similar caseload, be treated the same. But I guess what the cynics and the critics say about us we are going to live up to once more when we vote on this bill, and that is that it is political expediency; it is whoever does the right things for the people who make the decisions, and then they get the votes and they get the judges and they get the booty. It is happening once again, Mr. Speaker. We are seeing it very evidently in this bill. I think we should just realize what is happening.

I urge nonconcurrency, Mr. Speaker. This bill could very easily go back to conference. The inequity could be corrected. Franklin and Fulton Counties, comprising the 39th Judicial District, could be treated fairly like the other fifth-class counties in the State, and we could have an equitable judge bill rather than a bill that is politically expedient for those people who are making decisions.

Mr. Speaker, I ask the members of the House to join me in a vote of nonconcurrency on this bill. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Bedford, Mr. Dietz.

Mr. DIETZ. Thank you, Mr. Speaker.

To me, Mr. Speaker, the Conference Committee Report on HB 88 is totally unacceptable.

Mr. Speaker, this House of Representatives has voted three times to make Fulton County a separate judicial district. The last time, Mr. Speaker, the House voted to do so was on May 29 in an amendment added to HB 1579. Mr. Speaker, the need for a separate judicial district was again called to at least some members of the conference committee this morning.

Mr. Speaker, the 61st Judicial District for the people of Fulton County has been totally ignored. It is inconceivable, Mr. Speaker, that the people of Fulton County continue

paying taxes for a judicial system throughout the Commonwealth without any consideration whatsoever given to the people in Fulton County and their problems.

Mr. Speaker, Fulton County has had more criminal cases than two other counties that already have their own judicial districts, Pike and Potter Counties. Likewise, the civil, juvenile, domestic relations, divorce, and orphans' court cases filed in Fulton County exceed either of these two counties.

Mr. Speaker, I would ask my colleagues in the House to vote for nonconcurrency. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Franklin, Mr. Punt.

Mr. PUNT. Thank you, Mr. Speaker.

Mr. Speaker, I rarely take the floor to occupy the time of the members on legislation, but on this specific conference committee report, I truly and sincerely believe that a great injustice was done, an injustice primarily as a result of one individual in the Senate.

As Representative Coy stated, and Representative Dietz, the 39th Judicial District currently has two judges. When HB 88 was before the House, we increased the bench to three. In Blair County, in the 24th Judicial District, they currently have three judges. In HB 88, when it came before the House, their numbers had increased to four. The population of the 24th Judicial District is 136,700 people. The population in the 39th Judicial District is 126,400 people. It is a 10,200 difference. But because of the wishes of one, the 24th Judicial District will have four judges while the people of the 39th Judicial District, which must share and split between two separate counties, will have two judges.

Mr. Speaker, this is indeed an injustice, and I know, as other speakers have mentioned, that the comments said here probably will not change the vote, but I would ask that we nonconcur and resolve an injustice that indeed was done to 126,000 people. The documents verify the need, and it indeed is justified. I would greatly appreciate a nonconcurrency vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Mr. Speaker, I would like to interrogate the majority leader, please.

The SPEAKER. The gentleman, Mr. Manderino, will stand for interrogation. Mr. Letterman is in order and may proceed.

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, what does this bill cost us for the judges that are there now?

Mr. MANDERINO. Mr. Speaker, we are creating about 20 judgeships across the Commonwealth, and my understanding is that their salary is about \$65,000 - take it up to \$100,000; somewhere around \$2 million of State money for those judges.

Mr. LETTERMAN. How much money, Mr. Speaker?

Mr. MANDERINO. \$2 million, \$2 1/2 million.

Mr. LETTERMAN. I was of the understanding that this would cost in the vicinity of \$20 million.

Mr. MANDERINO. Not unless we are now spending \$1 million for each court of common pleas, which is not the case. It is about \$100,000. Somebody cannot multiply.

Mr. LETTERMAN. Thank you, Mr. Speaker.

May I say something, Mr. Speaker?

The SPEAKER. The gentleman is in order and may comment on the question.

Mr. LETTERMAN. I was of the understanding that this was a much more expensive bill, and what I was going to suggest is since we have already had a vote in the Senate to decrease the personal income tax, I would like to ask for non-concurrence in this bill so that we can try to make that cut up. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Erie, Mr. Boyes.

Mr. BOYES. Thank you, Mr. Speaker.

I will not belabor this point. I had addressed the House previously when the bill was before us. I am asking the members to not concur and for a nonconcurrence in the conference committee report.

In Erie County, the bill calls for two additional judges. The question of whether or not we need one additional judge has never even been resolved, since the last judgeship has just taken effect in September of the previous year. As a former county commissioner, I am fully aware of the fact that this costs the local taxpayers and, upon interrogation of the majority leader by Representative Letterman, that there is a cost to the State taxpayers. But as a former county commissioner, I am aware that there is a cost to the local taxpayers.

In Erie County, as many counties, we are constantly beseeched for finding additional tax moneys to support the necessary programs of county government - programs for caseworkers, social service workers, foster care, and others. When you add judges that are not needed, nor has a compelling case been made, you are jeopardizing those other critical county programs that are vital to the recipients of those services in Erie County.

Mr. Speaker, I can say without equivocation on my part that with the statistics on the civil or criminal cases, criminal court administrators have not demonstrated a need for two more judges in Erie County. I would ask the members to think about this as we impose this additional cost to the taxpayers of our county and the services that they are jeopardizing to the recipients. I would ask for nonconcurrence in the conference committee report. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. BROUJOS. Mr. Speaker, I represent a district which includes three counties. Each of those counties has a judge.

I am going to vote to nonconcur in this, and I will ask the Representatives to nonconcur. There comes a time when the members of the House, I think, should stand together. There is such a thing as judicial tyranny, and we do not like it. We

are always condemning judicial tyranny. There is also such a thing as legislative tyranny, and that is what the handling of the district of Representative Coy represents. If we cannot stand together and hang together with Representative Dietz and Representative Punt and Representative Coy, then indeed we should all hang separately. I would ask for nonconcurrence.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Johnson.

Mr. JOHNSON. Thank you, Mr. Speaker.

Mr. Speaker, I would like to respond to the statements of my good friend Representative Coy. I happen to represent part of Blair County, which Mr. Coy referred to in his comments.

I would like to explain to the House that the fourth judge has been endorsed by all the judges of Blair County, been endorsed by the court administrator, been endorsed by the county commissioners, who have to pick up the cost of the courtroom there, been endorsed by the chamber of commerce, been endorsed by every reputable group that I know of in the county. Now, I would respectfully submit to you that this is not politics.

I had a conversation yesterday with one of my good constituents, let us call him Mr. B. Mr. B., 8 years ago in Blair County, filed a civil action for \$3,000; 8 years ago. The trial was to come up this month, June 1984, because of a shortage of judges. After 8 years of waiting because we have a shortage of judges, we find that the defendant is now bankrupt. My constituent is out \$3,000 plus the interest for 8 years on \$3,000. That is the price of not having adequate judges, and I would respectfully submit that that is not politics to want to provide justice, adequate justice, reasonable time justice for our constituents. Thank you, sir.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. COY. Thank you, Mr. Speaker.

Mr. Speaker, in response to the gentleman, Mr. Johnson, I would simply say that the wish that you have for Blair County is the exact wish that I have for Franklin County.

We currently only have two judges; Blair County has three; you are going to four. I am simply asking for fairness. We have a backlog, too. Many of our people are having the same problem, attorneys getting time on the bench before judges. The same problems exist, and we are simply asking for a degree of fairness in this bill, too.

Mr. Speaker, there is ample opportunity to correct this, report it back to conference committee yet today, and it can be adopted. Mr. Speaker, I am asking my colleagues on the floor of the House to vote to nonconcur on this bill.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Adams, Mr. Cole.

Mr. COLE. Thank you, Mr. Speaker.

I have a judge in this bill, and I was going to vote to concur, but since I hear the unfairness that has been done in the conference report, I am going to vote to nonconcur.

We have several hours that we are going to be stalled here waiting for the kingmakers over in the other chamber to continue to cut up the pie. Now that they have cut out the judge from the Fulton-Franklin County area, I ask all the members to vote to nonconcur and let us give fairness to those rural counties that need this additional judge. You heard the statistics - four judges in one county that has a population of only 10,000 more people, and the county that we are trying to get the other judge for has two. Those are very unfair statistics.

Let us send a message to the conference committee. The gentleman from Erie has already offered his judge who is in the bill. He said they do not need two more; they only need one more. There is where they can find the additional judge. I urge you to vote to nonconcur.

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

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, I do not think I am so eloquent, but I am not going to start until I get some attention, because I have been sitting here for a couple of weeks giving everybody else the attention. I think what I am going to say, I think as a colleague I would want you to hear, because this is very important to me.

The SPEAKER. Will the gentleman yield?

The gentleman is absolutely correct. He has the right to the floor.

Mr. GEORGE. I thank you, Mr. Speaker, and I can guarantee you that I intend to take that right.

Several weeks ago, Mr. Speaker, there was a judge bill that was presented to us, and in that judge bill, supposedly Clearfield County was given the opportunity to have the second judge. I want you to pay very careful attention to this, because I believe each and every one of you suffers anguish as an individual and a legislator as I did with this bill. And what makes me so much more disturbed with the system is when the gentleman from Philadelphia, Mr. Gafni, said Clearfield County needed a second judge. I knew nothing about this second judge.

But nevertheless, Mr. Speaker, when the bill came out of the committee, Clearfield County, for some reason, was forgotten. Inadvertently, it was forgotten. I was up in my office, as we read the bill. The 42d District was given the second judge—I think it is Bradford rather than Clearfield—and I should have been elated in that if the bill would have passed, Bradford would have gotten a judge that they did not want, and I would not have had to worry about the second judge, because my problem about the second judge is I have been contacted by several good friends of mine who are attorneys, but I have never been contacted by one constituent who is not involved with the legal profession about a second judge.

Then finally, Mr. Speaker, when I heard the reality of the matter about the second judge, I called back to my county, and I found out we are spending \$182,000 rather than the \$70,000 that we are afforded by the State for that one judicial individual. Then I picked up some other material from Philadelphia, and I found out that there are counties that

have two and three judges that are spending \$400,000 and \$495,000 rather than just the \$70,000 on an individual basis.

Now, I differ a little bit in Clearfield County than the gentleman from Blair County in that he said that his judge wanted it, and, I guess, so does mine. But then he said that the county commissioners pay the bill. In my county, Mr. Speaker, my constituents pay the bills. They also pay the bills for down here in the State. Those who are unemployed and those who happen to still have a nickel are paying taxes such as sales tax and inheritance tax, and those who are still fortunate enough to be working are paying their earned income tax. Regardless of whether the bill costs \$2 million or \$3 million, the truth of the matter is it is costing more money at a time when we really cannot afford it.

I have to go home like a lot of you people and we have to tell these schools the reason we did not bring home the bacon this time. I voted for the budget, and I would vote again for it this afternoon because it is the best compromise we are going to get. But do not forget, there will never be a budget no matter how long you are here where you will like it all or you will hate it all. There always has to be a little. But the truth of the matter is that when we look this situation over, there are many things that we could have put that \$2 million of State money into rather than 20 judges at this time, and there are many areas in Clearfield County and the rest of these areas where there are judges where we could do more with that \$100,000 or \$130,000. And I am going back to Clearfield County where just 6 months ago the commissioners said they had to raise and spend \$750,000 for a reassessment, a county that could not even pay their bills, and now we are going to spend half a million dollars to put the refurbishings in for a second judge. I like my judge; he is a personal friend of mine, and so I would not want anybody to think this is anything but an honest presentation.

So anyway, I allowed the second judge to be put in in the Appropriations Committee and then I voted against it. Then I see this conference committee coming back and there are all these judges in it. I do not think that I could stand here long enough to discourage anyone or to cause the defeat of this bill, but I just want you to know there is a force around Pennsylvania that we had better deal with in the future, and I intend to vote against this bill. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Erie, Mr. Cappabianca.

Mr. CAPPABIANCA. Mr. Speaker, I just want to add my thoughts in regard to Erie County's receiving two more judges. I understand statements were made that perhaps two judges were too many and that one would suffice and that the other judge could be given to another county.

I want to insist that we concur on this conference report, because I do feel that Erie County does need the two additional judges. The very fact that we now hear an argument that perhaps we can get along with one when a couple weeks ago or a month ago they did not even want us to have one extra judge leads me to believe that by 1986 Erie County will have a necessity for two extra judges.

There is strong support for it. As pointed out before, the Erie County Bar Association overwhelmingly endorses the two additional judges. Four of the present judges out of the six say we need two additional judges; the public defender and the Erie County district attorney claim we need two additional judges; and the present president judge of the Erie County court even states that we need at least one judge and perhaps in 3 or 4 years we may need an additional judge. I say we should not miss the opportunity now; we should concur. Erie County wants its two additional judges. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Greene, Mr. DeWeese, on the committee of conference report.

Mr. DeWEESE. Mr. Speaker, please allow the words of Ralph Pratt to reverberate around the gold and chandeliers of this room. He made a sterling point a little while ago. Ralph Pratt said that in the middle 1960's we had 150 judges in the Commonwealth of Pennsylvania, and then Ralph Pratt said in the middle 1980's we have 325 judges in the State of Pennsylvania.

Then Tom Tigie observed that all the people who have said we need more judges - a D.A. here, a D.A. there, a public defender here, a public defender there, everywhere a public defender - it seems that all of those who want to aggrandize the numerical circumstance on the bench are of the legal background. We had a phrase a long time ago, which I will not enunciate on the microphone—I do not want to be gaveled down—but Joe, GI Joe, the average person back home, has not called me, has not inundated my office with letters saying we need more judges. We live in a very, very complex society. Accountants and attorneys seem to come to this legislature on a constant basis and want an additional array of laws and statutes and regulatory measures. I am of the opinion that if we had 150 judges in the middle 1960's and we have 325 judges in the middle 1980's, we do not need to add any more. I hope that we will agree with Mr. Coy and Mr. Pratt and Mr. Cole and nonconcur. Thank you.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Thank you, Mr. Speaker.

I hate to continue to be Bill DeWeese's straight man, but back in the 1960's when we had—and I am accepting your figures—some 150 judges in the Commonwealth, we probably had some 20,000 less burdensome laws that people like us have been imposing on the people of this Commonwealth for that 20-year period. During that 20 years, the laws of this Commonwealth and the laws of this country have changed dramatically. There has been a large influx of regulatory law, and that is what it is that has required lawyers. We pass some 2,000 bills through this House a year. We create litigation. Here a few years ago, I remember Jim Gallen, as chairman of the State Government Committee, coming before this House saying, my program for this year is to try and get rid of some of the laws that are on our books, and we did make an honest effort at getting rid of some of the old laws.

I have heard some of the members here say they have not heard from their constituents. I believe that. Constituents normally do not say, we need more judges, but I dare you, I challenge you, to go find your constituents whose names are on pleadings as plaintiffs and ask them if the court system is moving quickly enough for them to give them justice. Because of the Supreme Court saying—you will excuse me, Bill; I am worn out from talking with you yesterday; my voice is falling apart a little bit—but because of the Supreme Court decisions that have said that a criminal defendant must be tried in 180 days, a lot of the civil litigation in this Commonwealth has been put back to the point that where once courts such as ours in Delaware County were current, now the plaintiffs are waiting 1 year, 2 years, and 3 years to bring their litigation to fruition, to get an honest answer from the courts, from the juries, and I do not think that it is the judges' fault. I think this whole society generally has become more litigation minded. We have imposed law after law, as I say, that is taking up the time of the courts, and I honestly believe in these areas where we call for more judges in this bill, they have been justified.

I was on that conference committee. I saw judges removed by the conferees, and the members affected are not happy about it. There seemed to be justification for those that were left on or added to the bill. I honestly believe that my county needs another judge. I believe that Allegheny County needs more. I think Allegheny County is like parts of our county; it is very urban; it is very commercialized; there is a good deal of litigation, a lot of negligence work from automobile accidents and, unfortunately, a lot of criminal work. Chester County the conferees reduced from two to one the number of judges; Allegheny County they reduced from three to two. So this was not a conference committee that just kept adding; there were subtractions made. Philadelphia County did not get any judges, did not request any, and I think that is to their credit. They recognized they did not need them, did not ask them of us.

I think the bill should roll. I think the conference committee report should be adopted.

The SPEAKER. The Chair thanks the gentleman.

WELCOME

The SPEAKER. The Chair wants to intercede for a moment to welcome a citizen of California. Sam Reid is in the fourth grade. He is from Talmage, California, and he is a guest of the Speaker. Welcome to the floor of the House, Sam.

Notice I said he is a fourth-grader. He will sit in severe judgment.

CONSIDERATION OF HB 88 CONTINUED

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

Mr. DeVERTER. Thank you, Mr. Speaker.

I just wanted to comment, Mr. Speaker, to the gentleman, Mr. DeWeese, I do not mind you impinging on the legal profession as it relates to all the law they shove through here, but please do not count on the accountants to do what they do. Thank you.

The SPEAKER. For the second time, the Chair recognizes the gentleman, Mr. Pratt.

Mr. PRATT. Very briefly, I just wanted to provide some information for the benefit of the members, Mr. Speaker. In response to Representative Letterman's question as to the fiscal impact, I am holding in my hand a fiscal note from the Appropriations Committee from HB 1579, which when reported from the Appropriations Committee contained 13 new judges for the courts of common pleas and two for the Commonwealth Court. We now have a bill before us that has 20 judges for the courts of common pleas. This fiscal note tells me that beginning in fiscal 1985-86 it is going to cost the State \$2.4 million and the counties \$3.9 million annually in additional moneys. In 1986-87 it goes to \$3.3 million and \$3 million respectively. Until 1988-89, the annual cost for these 15 judges will be \$3.5 million for the State and \$3.8 million to the local counties. So, Mr. Speaker, you take it from there. Thank you.

The SPEAKER. For the second time, the Chair recognizes the gentleman, Mr. Punt.

Mr. PUNT. Thank you, Mr. Speaker.

I could not help but hear the minority leader's comments about the changes that were made in the conference committee. Indeed, there have been, more so than what should have been. In some of those areas where additional judicial districts have been cut, I believe very sincerely that they indeed are justified for those numbers.

If we nonconcur, what is in this conference report at this point will not change. What will change will be the inequities and injustices that are not included in this report. Conceivably, we could accomplish this yet today; if not, when we return. That is what is at stake, and that is the bottom line.

I would again ask for nonconcurrency. Thank you.

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

Mr. REBER. Very briefly, Mr. Speaker, I am only responding to the remarks of Representative DeVerter in regard to his remarks to Representative DeWeese. I can only say in noting with interest the recent release by one of the insurance companies in the Commonwealth, simply that Nationwide is on our side also. Thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, very briefly, sometimes you have to look at reality when you get these kinds of bills. I came down to the Assembly 18 years ago. My county at that time, I think, had five judges. We are in this for another judge. I have created, got into bills since I have been here, each one of those judges, and each one of them was needed. And the volume of legal business in the courts, the volume of cases that are filed, make it such that people who are deciding important things such as custody of children and support get 2

minutes before not a judge but a master in some cases, because of the volume of work that is there.

Now, I can understand the frustration with those of you who think there should be judges for your county, but the same forces—and I think all of you know what the forces were that caused this bill to read like it reads now—the same forces that caused the bill to read like it reads now will exist an hour from now; they will exist today. Maybe they will not exist in September, but I think we ought to pass this conference report. Let us provide the judges that are needed in the areas that we can help with, and we will try again. I will not abandon the gentleman, Mr. Coy, or anyone else who feels that they ought to have judicial help. Unfortunately, the conferees were only able to agree on what is in this bill at this time.

I would ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. GREENWOOD. Thank you, Mr. Speaker.

If you agree with the remarks of Representative Pratt and Representative DeWeese and Representative Letterman that we should not be spending excessive amounts of Commonwealth dollars for more judges, then what you ought to do is vote for concurrence with the conference committee report, because if this bill does go back to the conference committee, we can be sure of one thing - it will come out with more judges in it, not fewer judges, and it will cost more money.

I would urge adoption of the conference report.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. GODSHALL. Mr. Speaker, a few years ago in Montgomery County we got two additional judgeships. I happened to be controller of the county at that time, and I tried to do a caseload study on what the judges that we presently had were actually doing in Montgomery County. I was told by a couple of the judges in the county that we did not need the two additional judges. I was denied easy access to the records, which foiled the attempt to do the caseload study.

I think many times the judiciary comes through and says, we need this and we need that. Let them prove that they need this or they need that. They denied my efforts in Montgomery County, and I still do not think we needed the two judges we created at that time.

I would ask for a "no" vote on this conference report.

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—141

Afflerbach	Fee	McClatchy	Ryan
Angstadt	Flick	McHale	Rybak
Armstrong	Foster, Jr., A.	McIntyre	Salvatore
Arty	Freeman	McMonagle	Scheetz
Barber	Freind	McVerry	Schuler
Battisto	Fryer	Madigan	Semmel

Belfanti	Gallagher	Manderino	Seventy
Blaum	Gallen	Markosek	Showers
Book	Gamble	Mayernik	Smith, B.
Bowser	Gannon	Michlovic	Smith, L. E.
Brandt	Geist	Micozzie	Snyder, D. W.
Burd	Greenwood	Miller	Snyder, G. M.
Burns	Gruitza	Miscevich	Spencer
Caltagirone	Gruppo	Morris	Spitz
Cappabianca	Hagarty	Mowery	Stairs
Carn	Harper	Murphy	Stevens
Cawley	Hayes	Noye	Stewart
Cessar	Hershey	O'Brien	Taylor, E. Z.
Civera	Honaman	Olasz	Taylor, F. E.
Clark	Hutchinson	Oliver	Trello
Clymer	Itkin	Perzel	Truman
Cohen	Jarolin	Petrarca	Van Horne
Colafranca	Johnson	Petroe	Vroon
Cordisco	Kasunic	Phillips	Wachob
Cornell	Kennedy	Piccola	Weston
Coslett	Klingaman	Pievsky	Wiggins
Cowell	Kosinski	Pistella	Williams
Deluca	Kowalshyn	Pitts	Wogan
Davies	Kukovich	Pott	Wozniak
Deal	Lashingier	Preston	Wright, J. L.
Dombrowski	Laughlin	Rappaport	Wright, R. C.
Dorr	Lehr	Reber	Zwilk
Duffy	Lescovitz	Reinard	
Durham	Levi	Richardson	Irvis,
Evans	Levin	Rieger	Speaker
Fattah	Linton	Rudy	

NAYS—59

Alderette	Fargo	Lucyk	Saurman
Baldwin	Fischer	McCall	Serafini
Belardi	Foster, W. W.	Mackowski	Sirianni
Boyes	George	Maiale	Steighner
Broujos	Gladeck	Manmiller	Suban
Bunt	Godshall	Merry	Sweet
Cimini	Grieco	Moehlmann	Swift
Cole	Haluska	Mrkonic	Telek
Coy	Hasay	Nahill	Tigue
DeVerter	Herman	O'Donnell	Wambach
DeWeese	Hoefel	Peterson	Wargo
Daley	Jackson	Pratt	Wass
Dawida	Letterman	Punt	Wilson
Dietz	Livengood	Robbins	Wright, D. R.
Dininni	Lloyd	Saloom	

NOT VOTING—0

EXCUSED—2

Donatucci Marmion

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.

CONFERENCE COMMITTEE MEETING

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

Mr. SWEET. Mr. Speaker, to call a meeting of the Conference Committee on HB 1858. The conference committee on that bill will meet at the rear of the floor of the House immediately.

HEALTH AND WELFARE COMMITTEE MEETING

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

Mr. BARBER. Mr. Speaker, the Health and Welfare Committee would like to have a meeting in the back of the House at the call of the recess, please.

The SPEAKER. You may have the meeting now, if you wish, Mr. Barber.

Mr. BARBER. Thank you.

The SPEAKER. Immediately, a Health and Welfare meeting at the rear of the hall of the House.

REMARKS SUBMITTED FOR THE RECORD

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

Mr. PITTS. Mr. Speaker, could I submit some remarks for the record, please?

The SPEAKER. The gentleman may certainly submit the remarks for the record.

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

LABOR MANAGEMENT RESOURCE CENTER

During the last session of the General Assembly the Labor Relations Committee held a series of hearings to determine what might be done by State Government to foster Labor-Management Cooperation, and thereby improve the productivity of Pennsylvania firms and the quality of worklife for Pennsylvania workers. Several recommendations were made at the conclusion of our hearings. One, I am pleased to say, has already been enacted - that is, the grant program for Area-Labor-Management Committees. Act 77 of 1984 provides the statutory framework for those grants and they are funded through the general appropriation bill we just passed.

A second recommendation - a Pennsylvania Labor-Management Resource Center - has been discussed marginally over the past 2 years but has not had full consideration by the General Assembly. Today, I am introducing a bill for the establishment of a Pennsylvania Labor-Management Center.

Testimony before the Labor Relations Committee repeatedly indicated that labor-management cooperative programs have a strong impact on the retention and expansion of firms within a community. A Pennsylvania Labor-Management Resource Center will provide a positive and focused role for the Commonwealth in cooperation with labor and business leadership and with academic leadership in this area. It will give tangible recognition to the seriousness and importance of our concerns about labor-management cooperation, quality of worklife and productivity, and to our level of commitment.

I urge you to join me in sponsoring this bill and to give your support to it.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, it has just come to my attention in the immediate past that you are holding the budget bill that passed late last night and it has not been sent over to the Governor's Office. Could you advise me if that is accurate?

The SPEAKER. It is not accurate to say that I am holding it. It is accurate to say that I have not yet signed it.

Mr. RYAN. Thank you.

Would I be presumptuous to ask if we might be getting out of here this weekend; or would that bill perhaps be languishing on the Speaker's desk over the weekend?

The SPEAKER. No; the Speaker has every intention of signing the bill.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. SWEET presented the Report of the Committee of Conference on HB 1858, PN 3401.

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes the gentleman from Greene, Mr. DeWeese, who wishes to submit certain remarks for the record. The gentleman will send the remarks to the clerk. The clerk will file them.

(For remarks, see Appendix.)

SENATE MESSAGE

SENATE CONCURRENCE IN HOUSE RESOLUTION

The clerk of the Senate, being introduced, informed that the Senate has concurred in HR 250, PN 3306.

BILLS SIGNED BY SPEAKER

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

SB 299, PN 503

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, permitting the use of suppressed voluntary admissions or confessions to impeach a defendant's credibility.

SB 1289, PN 1795

An Act amending the act of June 23, 1931 (P. L. 899, No. 299), entitled "Public Bathing Law," restricting the definition of public bathing place.

SB 1414, PN 2071

An Act amending the act of September 20, 1961 (P. L. 1541, No. 657), entitled, as reenacted and amended, "Pennsylvania Agricultural Commodities Marketing Act of 1968," providing for the establishment, without referendum, of a dairy products promotion program funded by voluntary contributions.

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Beaver, Mr. Laughlin, rise?

Mr. LAUGHLIN. Mr. Speaker, yesterday HB 8 was run in the House, and inadvertently the electronic system in these switches was not operating at the level of excellence that it normally does, and I was recorded inaccurately. I would like to have that vote changed to the affirmative.

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

SUPPLEMENTAL CALENDAR E REPORT OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. PIEVSKY called up for consideration the following Report of the Committee of Conference on HB 2114, PN 3400, entitled:

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for additional supplemental annuities for special early retirement, and authorizing participation in limited partnerships and venture capital investments.

On the question,

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

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

YEAS—198

Table with 4 columns of names: Afflerbach, Fargo, Livengood, Ruddy; Alderette, Fattah, Lloyd, Ryan; Angstadt, Fee, Lucyk, Rybak; Armstrong, Fischer, McCall, Saloom; Arty, Flick, McClatchy, Salvatore; Baldwin, Foster, W. W., McHale, Saurman; Barber, Foster, Jr., A., McMonagle, Scheetz; Battisto, Freeman, McVerry, Schuler; Belardi, Freind, Mackowski, Semmel; Belfanti, Fryer, Madigan, Serafini; Blaum, Gallagher, Maiale, Seventy; Book, Gallen, Manderino, Showers; Bowser, Gamble, Manmiller, Sirianni; Boyes, Gannon, Markosek, Smith, B.; Brandt, Geist, Mayernik, Smith, L. E.; Broujos, George, Merry, Snyder, D. W.; Bunt, Gladeck, Michlovic, Snyder, G. M.; Burd, Godshall, Micozzie, Spencer; Burns, Greenwood, Miller, Spitz; Caltagirone, Grieco, Miscovich, Stairs; Cappabianca, Gruitza, Moehlmann, Steighner; Carn, Gruppo, Morris, Stevens; Cawley, Hagarty, Mowery, Stewart; Cessar, Haluska, Mrkonic, Stuban; Cimini, Harper, Murphy, Sweet; Civera, Hasay, Nahill, Swift; Clark, Hayes, Noye, Taylor, E. Z.; Clymer, Herman, O'Brien, Taylor, F. E.; Cohen, Hershey, O'Donnell, Telek; Colafella, Hoefel, Tigie; Cole, Honaman, Oliver, Trello; Cordisco, Hutchinson, Perzel, Truman; Cornell, Itkin, Peterson, Van Horne; Coslett, Jackson, Petrarca, Vroon; Cowell, Jarolin, Petrone, Wachob; Coy, Johnson, Phillips, Wambach; Deluca, Kasunic, Piccola, Wass; DeVertter, Kennedy, Pievsky, Weston; DeWeese, Klingaman, Pistella, Wiggins; Daley, Kosinski, Pitts, Williams

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

NAYS—0

NOT VOTING—2

McIntyre Wargo

EXCUSED—2

Donatucci Marmion

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.

**CALENDAR CONTINUED
REPORT OF COMMITTEE
OF CONFERENCE CONSIDERED**

Mr. PIEVSKY called up for consideration the following Report of the Committee of Conference on **HB 2110, PN 3382**, entitled:

An Act making appropriations from a restricted revenue account within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs.

On the question,

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

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

YEAS—197

Afflerbach	Fargo	Livengood	Ryan
Alderette	Fattah	Lloyd	Rybak
Angstadt	Fee	Lucyk	Saloom
Armstrong	Fischer	McCall	Salvatore
Arty	Flick	McClatchy	Saurman
Baldwin	Foster, W. W.	McHale	Scheetz
Barber	Foster, Jr., A.	McMonagle	Schuler
Battisto	Freeman	McVerry	Semmel
Belardi	Freind	Mackowski	Serafini
Belfanti	Fryer	Madigan	Seventy
Blaum	Gallagher	Maiale	Showers
Book	Gallen	Manderino	Sirianni
Bowser	Gamble	Manmiller	Smith, B.
Boyes	Gannon	Markosek	Smith, L. E.
Brandt	Geist	Mayermik	Snyder, D. W.
Broujos	George	Merry	Snyder, G. M.
Bunt	Gladeck	Michlovic	Spencer
Burd	Godshall	Micozzie	Stairs
Burns	Greenwood	Miller	Steighner
Caltagirone	Grieco	Miscevich	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	Hoeffel	Oliver	Truman
Cole	Honaman	Perzel	Van Horne
Cordisco	Hutchinson	Peterson	Vroon
Cornell	Hkin	Petrarca	Wachob
Coslett	Jackson	Petrone	Wambach
Cowell	Jarolin	Phillips	Wargo
Coy	Johnson	Piccola	Wass
Deluca	Kasunic	Pievsky	Weston
DeVerter	Kennedy	Pistella	Wiggins
DeWeese	Klingaman	Pitts	Williams
Daley	Kosinski	Pott	Wilson
Davies	Kowalyszyn	Pratt	Wogan
Dawida	Kukovich	Preston	Wozniak
Deal	Lashingner	Punt	Wright, D. R.
Dietz	Laughlin	Rappaport	Wright, J. L.
Dininni	Lehr	Reber	Wright, R. C.
Dombrowski	Lescovitz	Reinard	Zwinkl
Dorr	Letterman	Richardson	
Duffy	Levi	Rieger	Irvis,
Durham	Levin	Robbins	Speaker
Evans	Linton	Rudy	

NAYS—0

NOT VOTING—3

McIntyre Moehlmann Spitz

EXCUSED—2

Donatucci Marmion

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.

**BILLS ON THIRD
CONSIDERATION CONTINUED**

The House proceeded to third consideration of **SB 1159, PN 2233**, entitled:

An Act amending the act of April 29, 1982 (P. L. 355, No. 99), entitled "Vietnam Herbicides Information Act," designating dioxin as a specific herbicide to be studied by the commission; extending the life of the commission; extending the deadline for making its final report; empowering the commission to initiate an epidemiological study; revising content requirements of report forms; and making an editorial change.

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—199

Afflerbach	Fattah	Lloyd	Rudy
Alderette	Fee	Lucyk	Ryan
Angstadt	Fischer	McCall	Rybak
Armstrong	Flick	McClatchy	Saloom
Arty	Foster, W. W.	McHale	Salvatore
Baldwin	Foster, Jr., A.	McIntyre	Saurman
Barber	Freeman	McMonagle	Scheetz

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

NAYS—0

NOT VOTING—1

Sweet

EXCUSED—2

Donatucci Marmion

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. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the gentleman, Mr. Sweet, is off the floor at a conference committee meeting. On SB 1159 he asked that he be recorded in the affirmative.

The SPEAKER. The gentleman, Mr. Sweet, will be so recorded.

The gentleman, Mr. Davies, points out that the Speaker may have misstated the vote of Mr. Sweet. The Speaker did not mean that Mr. Sweet would be recorded for voting—not being on the floor, that is impossible—but simply that the remarks of the majority leader indicating what Mr. Sweet's vote would have been will be recorded for the record.

The gentleman, Mr. Davies, is quite correct. We have never allowed anyone to vote for anyone else—that is, not officially.

For what purpose does the gentleman from Beaver, Mr. Laughlin, rise?

Mr. LAUGHLIN. Mr. Speaker, since the House does not seem to have anything to do, do you think it would be an appropriate time to call up from the table HB 1289?

The SPEAKER. The Chair could not hear the gentleman.

Mr. LAUGHLIN. Well, Mr. Speaker, that has been a problem with the Chair for a couple of weeks.

The SPEAKER. The Chair is speaking now that the gentleman, Mr. Saloom, has advised the Chair that the Chair ignored him yesterday when he wished to speak on the budget. The gentleman, Mr. Saloom, had told the Speaker that he wanted to talk; the Speaker forgot it, and apologizes to the gentleman for not giving him an opportunity to speak on the floor.

WELCOME

The SPEAKER. The Chair notes that a former Representative and a very good friend of the Speaker's, who served with the Speaker from 1969, I think, to 1973, Regis Malady, is here. Stand up, Reg. Welcome to the hall of the House.

Reg, believe me, the only thing that has changed are the actors; the script is the same. Welcome.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **SB 785, PN 2157**, entitled:

An Act amending Title 74 (Transportation) of the Pennsylvania Consolidated Statutes, adding revised, codified and compiled provisions relating to aviation; and making an appropriation.

On the question,

Will the House agree to the bill on third consideration?

Mr. HERMAN offered the following amendments No. A3450:

Amend Table of Contents, page 2, by inserting between lines 14 and 15

§ 5905. Certain State-owned airport.

Amend summary analysis, page 21, by inserting between lines 14 and 15

5905. Certain State-owned airport.

Amend Bill, page 24, by inserting between lines 23 and 24 § 5905. Certain State-owned airport.

Notwithstanding any other provision of law to the contrary, all right, title and interest in the property known as Mid-State

Airport located in Centre County, containing 496.68 acres, more or less, including the present access road from L.R. 504 to and into Mid-State Airport, shall be transferred to and held within the jurisdiction and control of the Department of General Services for all purposes, and the Department of General Services shall have the same powers and duties with respect to Mid-State Airport as it has with respect to other real estate under its jurisdiction, with the exception that the facilities currently owned, used and operated at Mid-State Airport by the Department of Environmental Resources for wild fire attack operations and full access thereto by land and by air shall remain, without charge of any kind, in the Department of Environmental Resources, it being intended that nothing herein shall diminish the ability of the Department of Environmental Resources to continue its wild fire air attack operations as conducted at and out of Mid-State Airport prior to the effective date hereof. Because this involves a transfer of State forest and State park lands, no future use of Mid-State Airport shall impair in any way the integrity of the adjacent State forest and State park lands and their ecosystems. If at any time the jurisdiction and control of the land herein transferred entails significant maintenance and operation responsibilities for the Department of General Services, then and thereafter the jurisdiction and control of the land shall be transferred to the Department of Transportation.

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Centre, Mr. Herman.

Mr. HERMAN. Thank you, Mr. Speaker.

What this amendment will do is transfer the rights, title, and interest in property known as Mid-State Airport located in Centre County to the Department of General Services. Currently Mid-State Airport is not operational as a commercial air facility and has not been so since 1981, and yet it is costing the taxpayers approximately \$100,000 to maintain, or to provide for the maintenance of that operation.

There are certain companies that are interested in utilizing Mid-State Airport and creating some jobs in the Centre County area. The problem that we have currently is that the land is owned by the Department of Environmental Resources, and yet the building and the runways and so forth are owned by the Department of Transportation. They are not able to negotiate leases with any companies due to this conflict. We want to consolidate this effort under the Department of General Services, because they are responsible for the development of State-owned buildings and land for multi-purposes.

In a meeting of those persons or departments who are interested in this facility - the Department of Commerce, the Department of General Services, the Department of Transportation, and the Department of Environmental Resources - all are in agreement that the proper administrative department should be the Department of General Services. I request an affirmative vote, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. GEORGE. Mr. Speaker, if I may, I will make a statement.

The SPEAKER. You may make a comment on the Herman amendment.

Mr. GEORGE. Mr. Speaker, I had a great concern about this amendment previously, and it has been agreed to that the amendment that I will present after this amendment goes in has been agreed to, and therefore, I support the amendment.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. WILSON. Mr. Speaker, I, too, lend my support to the Herman amendment. It has been worked out and agreed to by everybody, and I would urge a positive vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. I also agree with the amendment, since we have worked the other amendment out and have agreed to put both of them in.

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—198

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

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

NAYS—0

NOT VOTING—2

Barber Wiggins

EXCUSED—2

Donatucci Marmion

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

On the question,

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

Mr. GEORGE offered the following amendment No. A3679:

Amend Sec. 1 (Sec. 5903), page 22, line 14, by inserting after "PROPER."

With respect to leases or agreements relating to airports the appropriate department, in negotiations with any person regarding such leases or agreements, shall insure that retention and creation of employment shall be the ultimate result of these negotiations. Further, such lease or agreement shall include provisions that require the lessee to adequately maintain access roads, runways and buildings and keep the airport operational. If the lessee fails to abide by the terms of the lease or agreement with regard to the above, the appropriate department, after giving reasonable notice, shall terminate the lease or agreement.

On the question,

Will the House agree to the amendment?

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

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is agreed to. It very simply states that the purpose of this conveyance should be for the purpose of providing employment, and the amendment will guarantee that that will be a priority when this is conveyed - that those who will receive this will have in mind that jobs will be the prime prerequisite. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Centre, Mr. Herman.

Mr. HERMAN. Mr. Speaker, I concur with Mr. George in support of the amendment. I would also like to withdraw the other amendments that I have circulated on this bill.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. WILSON. Mr. Speaker, I would also urge a positive vote on the George amendment.

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

Mr. LETTERMAN. Mr. Speaker, any time one of these airports is handed over, I would think that this is a very good

amendment to add to all of them. If we would just give this to private industry without any guarantee that they are going to do anything with it as far as jobs go, I think we would be making a terrible mistake.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—199

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

NAYS—0

NOT VOTING—1

Spitz

EXCUSED—2

Donatucci Marmion

The question was determined in the affirmative, and the amendment was 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?

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

Mr. AFFLERBACH. Thank you, Mr. Speaker.

Will the gentleman, Mr. Wilson, stand for brief interrogation, please?

The SPEAKER. The gentleman indicates he will so stand. Mr. Afflerbach may proceed.

Mr. AFFLERBACH. Thank you.

Mr. Speaker, I am in a bit of a quandary on this bill. It certainly has some significant changes in it with respect to airport development funds. I had inquired of one of the sponsors 2 days ago, and also of the A-B-E (Allentown-Bethlehem-Easton) Airport, which is a publicly owned airport. They have not been able to supply the information, and perhaps the gentleman, Mr. Wilson, could, since I know he is very interested in this.

The development funds, as I understand, have averaged about \$2 million annually. Is it correct that the bill will now expand the number of airports that could take advantage of those funds from approximately 60 to 160?

Mr. WILSON. That is correct. It will be even further than that, Mr. Speaker.

Mr. AFFLERBACH. Is it also correct that in any way the amount of these funds will be increased, since we are increasing the number of airports that would be eligible?

Mr. WILSON. Yes; the funds should increase. There is the great probability that the State would participate in land acquisitions, which they do not today, and those funds would be more insured over the future than they are. Right now, they are projected to diminish down to less than \$1 million, to \$912,000, within the next two budgets if we do not pass this type of thing; yes.

Mr. AFFLERBACH. Do we have any indication as to how rapidly and to what amount these development funds may increase to be available to the airports?

Mr. WILSON. Yes. Given the budget that has been accepted by the legislature, it contains the current available funds, which is mandatory by our Constitution that we balance the budget. I would suggest that by next year's budget and the next year's flow of income, those enhancements could be put into the 1985-86 budget; yes.

Mr. AFFLERBACH. The point is, though, that they are not there now. The enhancements would have to be put into the 1985-86 budget. Is that correct?

Mr. WILSON. That is correct. I might add that there are other things in this proposal that mandate, for example, that

the Department of Transportation, the Bureau of Aviation, must put the Harrisburg International Airport on a paying proposition and not suck out these funds, which would also free up more moneys for the other airports throughout the Commonwealth; yes. And it is, by the way, supported by the A-B-E people; it is just they do not know this bill number at the moment.

Mr. AFFLERBACH. That concludes my interrogation. I would like to speak on the bill, Mr. Speaker.

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

MOTION TO TABLE

Mr. AFFLERBACH. Thank you.

Mr. Speaker, as I indicated, I am in a bit of a dilemma on this, because the municipal airports of which I have requested information—and it may simply be because they do not know the bill number—have been unable to respond to me. I do not want to ask for defeat of the bill. I believe there are some things in it which are important to the Commonwealth of Pennsylvania, but I do think we should have more time to look at this and to get the input of the municipal airports, which may in fact take a cut in development money unless enhancement funds are put into a 1985-86 budget. Therefore, I would move at this time that the bill be tabled.

The SPEAKER. It has been moved by the gentleman, Mr. Afflerbach, that SB 785, PN 2157, as amended, be placed upon the table.

On the question,

Will the House agree to the motion?

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

Mr. WILSON. Mr. Speaker, I have to, unfortunately, oppose the tabling motion. I think everybody in this House recognizes that today is terminal, and this could be mortal to this proposal, which has been around—

The SPEAKER. Mr. Wilson, the Chair has been advised by the Parliamentarian that the motion is not debatable.

Mr. WILSON. I do not want to debate it; I just want to defeat it.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I would ask for a negative vote on the motion to table.

The SPEAKER. The Chair recognizes the minority whip.

Mr. HAYES. I oppose the gentleman's motion to table the bill.

The SPEAKER. The question is, shall SB 785 be placed upon the table? Those in favor of the motion to table will vote "aye"; those opposed, "no."

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—18

Afflerbach	Gamble	Murphy	Rybak
Broujos	Haluska	Petrone	Tigue
Coy	Kowalshyn	Pitts	Trello
Dawida	Michlovic	Preston	Van Horne
Duffy	Miscevich		

NAYS—176

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

NOT VOTING—6

Barber	Kennedy	Sweet	Wiggins
DeWeese	Spitz		

EXCUSED—2

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

On the question recurring,
Shall the bill pass finally?

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

YEAS—184

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

NAYS—15

Blaum	Dawida	Michlovic	Rybak
Broujos	Duffy	Miscevich	Tigue
Cowell	Gamble	Murphy	Van Horne
Coy	Markosek	Pistella	

NOT VOTING—1

Spitz

EXCUSED—2

Donatucci	Marmion
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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.

**SUPPLEMENTAL CALENDAR F
BILL ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 1339, PN 2242**, entitled:

An Act amending the act of July 29, 1953 (P. L. 1034, No. 270), entitled "An act creating as bodies corporate and politic "Public Auditorium Authorities" in counties of the second class and in cities of the second class, singly or jointly; prescribing the rights, powers and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain and operate public auditoriums; to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; empowering such Authorities to enter into contracts, leases and licenses with and to accept grants from private sources, the Federal Government, State, political subdivisions of the State or any agency thereof; authorizing the making of said grants from bond funds or current revenues; authorizing Authorities to collect rentals, admissions, license fees for the use of the project; exempting the property and securities of such Public Auditorium Authorities from taxation," extending the provisions of this law to cities of the second class A and counties in which a city of the second class A is located; and making editorial changes.

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?

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

Mr. LLOYD. Mr. Speaker, I have not seen the bill, and I wonder if somebody could explain it.

The SPEAKER. On the question, the Chair recognizes the gentleman, Mr. Lloyd, who requests an explanation.

The Chair recognizes the gentleman from Lackawanna, Mr. Belardi. Mr. Lloyd, quite correctly, has asked for an explanation of SB 1339 before we place it for a final vote.

Mr. BELARDI. Thank you, Mr. Speaker.

Mr. Speaker, this was a House bill that Representative Cawley and I were the sponsors of. We amended this into SB 1339.

Mr. Speaker, this would be legislation that would include the city of Scranton and would enable them, as a second-class-A city, to have the same authority as the second-class city of Pittsburgh to be able to create an auditorium authority, Mr. Speaker. The city of Scranton would be able to appoint and the county of Lackawanna would be able to appoint members of a public auditorium authority. It would not affect any other municipality in the Commonwealth of Pennsylvania. It would apply only to the second-class-A city, of which the city of Scranton is the only one.

Several developers, one in particular from Boston who is now in the city of Scranton, has talked to city and county officials and has asked that legislation be enacted similar to the legislation that is now in place for the second-class city of

Pittsburgh. This would enable the city to be able to float bonds, appoint members of an authority, and to be able to float bonds to build a civic arena in downtown Scranton. I ask the members to concur with this amendment to the Senate bill. Thank you, Mr. Speaker.

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

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

I intend to vote for the bill. I think part of the confusion is caused because the calendar, supplemental calendar F, the line under each of the bills is no longer correct, and so maybe when each of those bills is called, we could have a very brief explanation so we know whether it is the title which is no longer right or whether it is the language underneath which is no longer right. Thank you.

The SPEAKER. The Chair thanks the gentleman for bringing that to our attention.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I, too, support SB 1339 as amended, and I would add to the remarks of Mr. Lloyd that Mr. Manderino's very able assistant did come over and point out to me moments ago that when the supplemental calendar was prepared, the short explanation under the title was wrong in all three instances. I know my own personal interest in SB 1044 has nothing to do with the Public Utility Commission but rather is a \$2-million appropriation to Legal Services, and I am glad Mr. Lloyd pointed out the inconsistency with that which is written on the bill. But SB 1339, I think, makes sense, and I intend to vote "yes" for it.

The SPEAKER. Is the gentleman, Mr. Ryan, informing the Chair that each one of the summations is in error on F?

Mr. RYAN. That is correct, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair thanks Mr. Lloyd for catching that. The Chair had not seen it. The Chair was a bit confused by seeing the explanations, but the Chair has been confused for a number of hours.

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—198

Afferbach	Fargo	Lloyd	Rudy
Alderette	Fattah	Lucyk	Ryan
Angstadt	Fee	McCall	Rybak
Armstrong	Fischer	McClatchy	Saloom
Arty	Flick	McHale	Salvatore
Baldwin	Foster, W. W.	McIntyre	Saurman
Barber	Foster, Jr., A.	McMonagle	Scheetz
Battisto	Freeman	McVerry	Schuler
Belardi	Freind	Mackowski	Semmel
Belfanti	Fryer	Madigan	Serafini
Blaum	Gallagher	Maiale	Seventy
Book	Gallen	Manderino	Showers
Bowser	Gamble	Manmiller	Sirianni
Boyes	Geist	Markosck	Smith, B.
Brandt	George	Mayernik	Smith, L. E.
Broujos	Gladeck	Merry	Snyder, D. W.
Bunt	Godshall	Michlovic	Snyder, G. M.
Burd	Greenwood	Micozzie	Spencer
Burns	Grieco	Miller	Stairs

Caltagirone	Gruitza	Miscevich	Steighner
Cappabianca	Gruppo	Moehlmann	Stevens
Carn	Hagarty	Morris	Stewart
Cawley	Haluska	Mowery	Stuban
Cessar	Harper	Mrkonic	Sweet
Cimini	Hasay	Murphy	Swift
Civera	Hayas	Nahill	Taylor, E. Z.
Clark	Herman	Noye	Taylor, F. E.
Clymer	Hershey	O'Brien	Telek
Cohen	Hoeffel	O'Donnell	Tigue
Colafella	Honaman	Olasz	Trello
Cole	Hutchinson	Oliver	Truman
Cordisco	Itkin	Perzel	Van Horne
Cornell	Jackson	Peterson	Vroon
Coslett	Jarolin	Petrarca	Wachob
Cowell	Johnson	Petrone	Wambach
Coy	Kasunic	Phillips	Wargo
Deluca	Kennedy	Piccola	Wass
DeVerter	Klingaman	Pievsky	Weston
DeWeese	Kosinski	Pistella	Wiggins
Daley	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.
Dorr	Levi	Reinard	Zwinkl
Duffy	Levin	Richardson	
Durham	Linton	Rieger	Irvis,
Evans	Livengood	Robbins	Speaker

NAYS—0

NOT VOTING—2

Gannon Spitz

EXCUSED—2

Donatucci Marmion

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.

SUPPLEMENTAL CALENDAR G

REPORT OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. SWEET called up for consideration the following Report of the Committee of Conference on **HB 1858, PN 3401**, entitled:

An Act amending the act of August 23, 1961 (P. L. 1068, No. 484), entitled, as reenacted and amended, "An act to provide for the creation and administration of a Coal and Clay Mine Subsidence Insurance Fund within the Department of Environmental Resources for the insurance of compensation for damages to subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; providing penalties for the violation thereof; and making an appropriation," providing for applications for additional insurance; and providing for automatic increases for inflation.

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 Washington, Mr. Sweet.

Mr. SWEET. Thank you, Mr. Speaker.

The Conference Committee Report on HB 1858 preserves many of the provisions that were in the original bill that passed the House and went on to the Senate. One major change, and I think a significant and progressive change, is that when an applicant applies for mine subsidence insurance, a new application, under the law there must be an inspection by DER (Department of Environmental Resources) prior to the insurance policy being approved and being in force. The provisions of this conference committee report will say that if DER's inspector does not perform the inspection within 60 days, the insurance is deemed to be in effect back to the time of application.

The reason for this provision, Mr. Speaker, is that there is quite often a lengthy delay on the part of the department in getting out there and getting these needed inspections done. Every time there is an episode of mine subsidence in a certain area of the Commonwealth, there is a lot of interest in the program, people make application, and they are very, very anxious to get their insurance approved.

There are also provisions, as I said, Mr. Speaker, that were in the original HB 1858 that was passed here in the House and sent to the Senate, and I will explain those provisions if, in fact, anyone so desires it.

I would ask, and I know the majority leader would ask since it is his bill, that we have an affirmative vote, Mr. Speaker.

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—194

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

Civera	Hayes	Murphy	Swift
Clark	Herman	Nahill	Taylor, E. Z.
Clymer	Hershey	Noye	Taylor, F. E.
Cohen	Hoeffel	O'Brien	Telek
Colafella	Honaman	O'Donnell	Tigue
Cole	Hutchinson	Olasz	Trello
Cordisco	Itkin	Oliver	Truman
Cornell	Jackson	Perzel	Van Horne
Coslett	Jarolin	Peterson	Vroon
Cowell	Johnson	Petrarca	Wachob
Coy	Kasunic	Petrone	Wambach
Deluca	Kennedy	Phillips	Wargo
DeVerter	Klingaman	Piccola	Wass
DeWeese	Kosinski	Pievsky	Weston
Daley	Kowalshyn	Pistella	Williams
Davies	Kukovich	Pitts	Wilson
Dawida	Lashingier	Pott	Wogan
Dietz	Laughlin	Pratt	Wozniak
Dininni	Lehr	Preston	Wright, D. R.
Dombrowski	Lescovitz	Punt	Wright, J. L.
Dorr	Letterman	Rappaport	Wright, R. C.
Duffy	Levi	Reber	Zwilk
Durham	Levin	Reinard	
Evans	Linton	Rieger	Irvis,
Fargo	Livengood	Robbins	Speaker

NAYS—0

NOT VOTING—6

Barber	Gannon	Rybak	Wiggins
Deal	Richardson		

EXCUSED—2

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

Ordered, That the clerk inform the Senate accordingly.

**BILL REPORTED FROM COMMITTEE,
CONSIDERED FIRST TIME, AND
RECOMMITTED TO COMMITTEE ON RULES**

HB 1992, PN 2670 By Rep. BARBER

An Act amending the "Pharmaceutical Assistance Contract for the Elderly Act," approved November 4, 1983 (P. L. 217, No. 63), further providing for maximum annual income.

HEALTH AND WELFARE.

BILL SIGNED BY SPEAKER

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

SB 878, PN 2218

An Act to 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, 1984 to June 30, 1985, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1984; to provide appropriations from the Lottery Fund to the Executive Department; and to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipts accounts for the fiscal year July 1, 1984 to June

30, 1985 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1984.

RULES SUSPENDED

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

Mr. WILSON. Mr. Speaker, I move that the rules of the House be temporarily suspended so that we may immediately consider a resolution.

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

The following roll call was recorded:

YEAS—188

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

NAYS—0

NOT VOTING—12

Barber	Cohen	Hershey	O'Donnell
Belfanti	Evans	McClatchy	Rudy
Carn	Gannon	Manderino	Wiggins

EXCUSED.—2

Donatucci Marmion

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

RESOLUTION ADOPTED

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

The following resolution was read:

House Resolution No. 259

A RESOLUTION

Directing the House Committee on Transportation to determine and review the Department of Transportation's policy toward the aviation industry and the aviation community of Pennsylvania.

WHEREAS, The Bureau of Aviation of the Department of Transportation is charged with maintaining and promoting aviation within the Commonwealth; and

WHEREAS, The Bureau of Aviation had been without a bureau chief for approximately two years; and

WHEREAS, The General Assembly has recognized the importance of aviation to the Commonwealth by providing for the appointment of a Deputy Secretary of Aviation of the Department of Transportation; and

WHEREAS, The Department of Transportation, despite two years in which to prepare for such an appointment, has failed to appoint a deputy secretary and thus deprived the aviation community, a six and one-half billion dollar part of the Commonwealth economy, of the necessary leadership with which to promote aviation in Pennsylvania; and

WHEREAS, The Legislative Budget and Finance Committee performance audit conducted by Price Waterhouse on the Department of Transportation's organizational and functional framework indicated the underutilization and misuse of State-owned aircraft; and

WHEREAS, The same audit has found the Bureau of Aviation to be negligent in its operation of State-owned airports, in particular, but not limited to, its failure to collect rents pursuant to contracts entered into at Harrisburg International Airport; therefore be it

RESOLVED, That the House Committee on Transportation be directed to determine and review the Department of Transportation's policy regarding the aviation community and the aviation industry in Pennsylvania in relation to, but not limited by, its failure to appoint appropriate leadership for the Bureau of Aviation; and be it further

RESOLVED, That the committee may hold hearings, take testimony, and make its review at such places as it deems necessary within this Commonwealth, and each member of the committee shall have the power to administer oaths and affirmations to witnesses appearing before the committee; and be it further

RESOLVED, That the committee make a report of its findings to the House of Representatives as soon as possible.

Benjamin H. Wilson
Amos K. Hutchinson
Rudolph Dininni
Camille George

On the question,
Will the House adopt the resolution?

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

Mr. WILSON. Thank you, Mr. Speaker.

This resolution directs the Transportation Committee to take a look at the Department of Transportation, in particular the Bureau of Aviation. Now that we have passed that legislation, there have been some comments made by the Legislative Budget and Finance Committee and others about the operation of that bureau. I think it is appropriate that this legislature approve this resolution so that the Transportation Committee, through the summer, can take a look at and verify whatever facts are available in that Bureau of Aviation.

I would ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—198

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

Durham	Levin	Richardson	
Evans	Linton	Rieger	Irvis,
Fargo	Livengood	Robbins	Speaker

NAYS—0

NOT VOTING—2

Cohen Rudy

EXCUSED—2

Donatucci Marmion

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

**SUPPLEMENTAL CALENDAR F CONTINUED
BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **SB 860, PN 2240**, entitled:

An Act establishing certain fees to be charged by the Clerk of Quarter Sessions of Philadelphia.

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

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

The question is, shall the bill pass finally?

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, this bill, as I understand it, affects only the city of Philadelphia's fee schedule for their court systems. I am hoping that Mr. O'Donnell is listening to me. It is my understanding that this bill affects only the city of Philadelphia's fee schedule for the courts. When I received it, I had it reviewed by the Republican House members, who believe that it is an agreed-to bill. Mr. Salvatore is acknowledging that. On that basis, I would ask that it be supported.

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—198

Afflerbach	Fattah	Lucyk	Ryan
Alderette	Fee	McCall	Rybak
Angstadt	Fischer	McClatchy	Saloom
Armstrong	Flick	McHale	Salvatore
Baldwin	Foster, W. W.	McIntyre	Saurman
Barber	Foster, Jr., A.	McMonagle	Scheetz
Battisto	Freeman	McVerry	Schuler
Belardi	Freind	Mackowski	Semmel
Belfanti	Fryer	Madigan	Serafini
Blaum	Gallagher	Maiale	Seventy
Book	Gallen	Manderino	Showers
Bowser	Gamble	Manmiller	Sirianni
Boyes	Geist	Markosek	Smith, B.
Brandt	George	Mayernik	Smith, L. E.
Broujos	Gladeck	Merry	Snyder, D. W.
Bunt	Godshall	Michlovic	Snyder, G. M.
Burd	Greenwood	Micozzie	Spencer
Burns	Grieco	Miller	Spitz
Caltagirone	Gruitza	Miscevich	Stairs
Cappabianca	Gruppo	Moehlmann	Steighner

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

NAYS—0

NOT VOTING—2

Arty Gannon

EXCUSED—2

Donatucci Marmion

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 1044, PN 2241**, entitled:

An Act making an appropriation to the Department of Public Welfare for legal services.

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?

On final passage, the Chair recognizes the minority leader.
Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, SB 1044, I believe, and I am sure Mr. Kukovich will correct me if I am wrong, is a bill that came over from the Senate doing one thing. I believe the Appropriations Committee today took a look at SB 1044, thought it was pretty nice, stripped it, and put \$2 million in here for Legal Services.

Now, I will be perfectly frank with everyone in this chamber. This is not one of my pet projects, so much so that—and I believe many people in this chamber share that feeling—when the four leadership groups met going over the various items of the budget, this was one item of the budget where we could not agree to agree or to disagree, and it was left—by agreement, I suppose—to the various caucuses to treat this bill as they see fit. I wish I could say that it was an agreement that this bill would not run, but that is not so. But let us talk a little bit about it.

Right now, Legal Services will receive \$6,888,000 through the General Assembly of Pennsylvania by way of a distribution of Federal funds. This amount is no more than, nor is it less than, the amount they received last year from the General Assembly. The amendment—and if I may call it the Kukovich amendment, because I see Mr. Kukovich as the floor controller, if you please—the \$2-million amendment represents a 31-percent increase in what Legal Services received last year to this year.

Now, we have, over the past several days, looked at different items in our budget that we would like to increase. I had the distasteful task yesterday to argue against a \$4,000 increase for the Beacon Lodge. I have watched a conference committee report come out, which I have supported, that has cut from the budget as it initially passed the House millions and millions of dollars for very worthy causes. We have also taken care of many, many worthy causes. I do not happen to believe that Legal Services fits into that category.

Before I illustrate some of the changes, I would like to point out further that at the moment in the present state of the budget, if this became law, the budget would be out of balance. It is my understanding that if everything we have passed and everything we have agreed will pass becomes law, the budget would have approximately \$1.5 million in surplus. This would take it out of balance, this \$2-million appropriation to Legal Services. This 31-percent increase from last year would take it out of balance.

I wonder how some of us could go back to the Medical College of Pennsylvania and say, no, we could not give you that \$200,000 or \$300,000 this year because our budget was too tight, and then being asked, say, but we managed to give a 31-percent increase to Legal Services. I wonder how we say to the Children's Heart Hospital, no, we could not give you that \$200,000 or \$300,000 extra that you wanted because we had to give a 31-percent increase to Legal Services. I wonder how we say that we do not have the money that we had hoped we would have when the bill passed this House to take care of the cancer control obligations that we feel we have because a like amount has instead been given to Legal Services representing a 31-percent increase. I wonder how the distressed nursing homes who have asked us for money are going to feel when we say, we are sorry, we did not have the money to take care of you, but, yes, we did have the money to give 31 percent to Legal Services by way of an increase; that we did not have the money to back up what we sent out of this chamber when we passed the bill for shelters for the homeless, but we did have a

31-percent increase for Legal Services. I could go on and on and on and on of the worthy recipients of the State's moneys who have asked for increases, and we have said, no, we can give you 6 percent; we can give you 7 percent; in the case of Beacon Lodge, we can give you a \$1,000 increase from \$30,000 to \$31,000, and then go home and say, but we can give 31 percent to Legal Services. I think that part of the message I have probably stated and restated too many times.

My principal objection—and I am speaking personally from experience—with Legal Services is that they do not practice law the way lawyers, in my judgment, should practice law. My own experience with Legal Services has been in many cases when they are representing a client, a poor client, against a landlord, against a mortgage company, against someone else who, for the purpose of argument, we will say has money, is they will take a case that no practicing lawyer who is being paid a fee would drag on and on and on with appeal after appeal when it could be settled in many cases if fees were being paid.

Everybody has said, I object to this, and as a matter of principle, I am going to do this, this, and this, but they cannot afford to do it, so they compromise. The Legal Services experience I have had does not work that way. You go through one hearing, two hearings, and three hearings, with the private individual paying \$200 a hearing, perhaps, and winning at each case, and still Legal Services go on and on and on. In another experience in my own office I watched a series of mortgage foreclosures where pleadings were filed, defense pleadings were filed, by Legal Services where the judge handed down a decision and said, this particular preliminary objection is not valid, to find similar pleadings filed within a week or two with the same typographical errors in them coming out of the word processor but just the names changed because it is a different case and there are new people.

I can remember over the years promises made by the Legal Services people to this General Assembly where they were going to cure these abuses; where they were not going to use our money to lobby against us; where they were not going to use our money in litigation to then turn around and sue us for their legal fees.

The Pennhurst case is just ending now. I understand there is some \$3 million of legal fees demanded of the Commonwealth of Pennsylvania. My further understanding is that they have been reduced through negotiations; the demands in negotiations back and forth are being reduced. I say to you honestly, I do not know—there are private attorneys involved in this, too—I do not know what portion of it goes to Legal Services or the Pennsylvania Law Information Center, or something, who are the principal attorneys for the Pennhurst plaintiffs, but we are going to be sued for legal fees there. I say to you, I do not know whether that office is funded through Legal Services. I believe it is, but I really do not know whether it is or not. But it is cases like this where we have been burned before by Legal Services making claims.

Two years ago we told the Legal Services people we are not funding lobbying activities, and I walked down in this

rotunda and met paralegals and lawyers from the Delaware County Legal Services unit down here lobbying us, and I do not know whether they had checked out as day-off time or sick leave or whether they were on the payroll, but the spirit of the agreement was certainly violated.

Forgetting all of my emotional involvement and personal relationship with Legal Services, I go back to what I think is the most telling argument, and that is, can this General Assembly afford to increase a \$6,800,000 appropriation by 30 percent; \$6,688,000 added by 2 is \$8,688,000, or 30 percent. And I correct the prior record - not 31; 30. I think we are making a terrible mistake if we do it, and I would ask for a "no" vote on SB 1044.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, a couple of comments about the bill that is before us today and why it is before us today. I do not know whether it was clear, but we did not agree not to include it in the budget. There were conferees, there were leaders, who absolutely insisted that it not be included in the budget, and that is why it is not in the budget.

We did indicate that we would run a separate bill, because we certainly felt that Legal Services was worthy, as many of the appropriations in the appropriation bill are worthy of members' votes. There is a \$1,500,000 surplus in the budget that we passed. This is a \$2-million bill. The Governor, if he cannot find the other \$500,000, can certainly change the figure for Legal Services. We used the \$2-million figure because that was the figure that has been used consistently to supplement the Federal funds that Legal Services has been getting for years.

Mr. Ryan plays fast and loose with 31-percent increases. It actually is a 100-percent increase, Mr. Speaker, over what they got last year. They got zero from the State, zero from the State of Pennsylvania. The \$6 million was all Federal funds. You know, when you say 4 years ago we supplemented the Federal funds with \$2 million, since 1981, mainly because of the arguments made by Mr. Ryan here on the floor, whether they are personal or whether they are with merit, mainly because of his arguments we have been unable to fund Legal Services, although we have passed Legal Services in the House. Mr. Speaker, if we gave Legal Services the \$2-million increase out of State funds, that would be the first dollar we have given them in several years, and, Mr. Speaker, they are struggling.

You know, it is all right to have the large corporations. Mr. Ryan made the argument on the bill that wanted to provide public financing and limit tax. As I remember, he made the argument that these companies ought to have a right to petition their legislators, and they ought to have access to their legislators and access to the legal system. Legal Services is about access to the legal system to people who are poor, people who are unemployed. Their caseload has tripled in the last 4 years, and if we gave them this \$2 million, we would be giving them less money than they had to work with 4 years ago.

Those are the facts, Mr. Speaker. The Federal funds have been going down slowly, but going down. We have cut out the State funds completely, and they are faced with increasing caseloads on mortgage foreclosure, domestic abuse, in these difficult economic times. These are the poor people's lawyers. I can understand if you do not have poor people in your district, you may not have the sympathy for the work that the Legal Services groups do, but believe me, they do valid work.

I believe Mr. Ryan talked about the fees of some law firm at Pennhurst. I am not sure what he said about that, but I would like to ask him what he said about that.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. I was trying to, Mr. Manderino, explain some of the problems that I have had over the years, in my mind, with the Legal Service system of suing government for their fees. I said in as forthright a manner as I could that I had just heard that as a result of Pennhurst, there was going to be a claim for some 3 million dollars' worth of fees, which I understand have since been reduced through negotiations down to a lesser demand—please forgive me; my throat is going away—and I said that there are private law firms among those claimants of plaintiffs' attorneys and there is a Public—and I cannot think of the name of it; Mr. Cohen may have it there—Public Law—you knew it last night when we talked about it—

Mr. MANDERINO. Public Interest Law Center.

Mr. RYAN. —Public Interest Law Center, which I had been told, and I do not know and I said it to you the other night that I do not know whether this is a Legal Services affiliate, but I had been told that it was. I said on the floor and I said it to you the other night, I did not know whether that was true. If someone says that they received no moneys directly or indirectly from the Legal Services funding, then I am willing to accept that.

Mr. MANDERINO. Thank you, Mr. Speaker.

Mr. RYAN. Are you able to answer that question, Mr. Speaker?

Mr. MANDERINO. No. Mr. Kukovich will when he discusses it.

Mr. RYAN. All right.

Mr. MANDERINO. I just want to conclude my remarks by saying that last night I read the paper about the Revenue Department of this Commonwealth indicating that the revenue collections this month are way above anybody's expectations, and we will probably end the year with a figure substantially larger than any of us believed.

Mr. Speaker, if you do not want to be for this appropriation of \$2 million to Legal Services, do not say there is not enough money. There is a \$1 1/2-million surplus and it appears that there is going to be enough money. If it had not been for the insistence that this not be in the conference report, I think that we would have been able to find the money; we could have shifted and moved. There are a million places that we can find that other \$500,000.

The caseload out there is increasing. There are insufficient funds at Legal Services. I ask for an affirmative vote, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. KUKOVICH. Mr. Speaker, I would like to start by responding to what Mr. Ryan had stated.

I suppose it is indicative of some of the misinformation and confusion over various legal cases, but Mr. Ryan and I had a conversation prior to the debate, and I had it checked out regarding Pennhurst. To the best of my knowledge and all of the information that I have been able to obtain, Legal Services had nothing to do with that or obtained nothing from it. It was a separate entity in private counsel who were not affiliated with Legal Services.

But Mr. Ryan's point to a certain extent, although that example might not have been good, is well taken in that there were problems in the past and some attorneys, maybe with Legal Services, overstepped their bounds, and I would agree with him on that. The point is that since that time—and we had debate regarding that on this floor a couple of years ago—Legal Services by and large has acted in good faith. There are new professional judgment standards. I would also suggest that in every county the local bar associations appoint a majority of the members. The local bars control each and every Legal Services board. In Mr. Ryan's own county, the *Republican members dominate that Legal Services board*. His hypothetical about the attorneys' fees was incorrect, which I think he probably now admits at this time.

Mr. Manderino was right. In 1980 there was somewhere over \$10 million provided in money for Legal Services, Federal and State. Now it is down to roughly \$6.68 million. *What we are doing by this continued impoverishment of Legal Services is even worse now, because as the money is dwindling, the need for the services is greater. Less than 15 percent of the eligible clients are able to be serviced by Legal Services. What we are doing, Mr. Speaker, is creating a dual system of justice which flies in the face of what this State and this country are supposed to be all about.*

I would like to point out the kinds of cases that Legal Services handles. About 38 percent are family related, domestic abuse, violence; 18 percent are SSI (supplemental security income), welfare-related cases; about 16 percent are housing; 11 percent are consumer oriented. They are not the kinds of cases that years ago we had heard about that were controversial and flamboyant; they are the daily cases where people have important problems and they have nowhere else to turn. Rather than running through statistics, we should think about who Legal Services actually helps. Basically, they help children; they help disabled; they help the elderly; they help the abused; they help the homeless; they help those who have been wronged, who have nowhere else to go to correct that wrong and have their day in court.

Mr. Speaker, newspapers across this State have been supportive of more money for Legal Services. Very quickly, just recently in May the Philadelphia Inquirer supported a \$2-million increase, and I will quote from their last paragraph: "Given the dire predicament of thousands of Pennsylvania

families, a \$2 million state-funding supplement to the legal services program is a modest increase for the Senate to consider." In the Pittsburgh Post-Gazette the very same month, "In a proposed budget of more than \$8.5 billion, an increase of \$2 million for this vital activity is no extravagance." And finally in the Harrisburg Patriot, they said and they quoted from Judge Learned Hand, who is a noted Supreme Court jurist, who said, "'If we are to keep our democracy, there must be one commandment: Thou shalt not ration justice.' To maintain a free society it is necessary not only to maintain access to the courts, but the affordability of that access."

What SB 1044 is asking for is simple justice for the poor and the disabled and the homeless of our State. I think it is the very least that we can do, and I would ask for an affirmative vote on this bill.

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

Mr. LEVIN. Will Mr. Ryan stand for brief interrogation, please?

The SPEAKER. The gentleman, Mr. Ryan, indicates he will so stand. Mr. Levin may proceed.

Mr. LEVIN. Mr. Speaker, do you know what the top dollar figure was that we gave to Community Legal Services and from whom it came and what year?

Mr. RYAN. Did the gentleman say last year?

Mr. LEVIN. No, no. What was the top figure? Mr. Kukovich alleged to the fact that it was once something like \$10 million.

Mr. RYAN. I do not really know. If Mr. Kukovich says he has looked into it, I am not prepared to say that he is misstating the number. I honestly do not know.

Mr. LEVIN. Well, is any of the money that is presently in the budget coming from State money?

Mr. RYAN. No, no. I said that right at the beginning that there is an appropriation of \$6.8 million, round numbers, that is money that is being spent through the State of Federal money which we could put in other places if we did not spend it there, of course. So in that sense, it is money under our control.

Mr. LEVIN. It is your impression that we have the right to take that \$6 million and place it elsewhere? We do not have to fund the community services with it?

Mr. RYAN. Absolutely. I am advised that we could put it into child welfare, for example, day care, any of the other social services.

You are referring now to this almost \$7 million?

Mr. LEVIN. Six point what?

Mr. RYAN. \$6.8 million.

Mr. LEVIN. \$6.8 million.

Mr. RYAN. \$6.68 million; pardon me.

Mr. LEVIN. \$6.6 million; right; not almost \$7 million.

All right. Thank you very much.

I would like to make a brief statement, Mr. Speaker.

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

Mr. LEVIN. I do not think we are going to change a great many minds by making great impassionate speeches about the need for services. Most of the people in this House have made up their minds a long time ago whether they were willing to fund services for poor people or not.

The crucial thing that you have to remember here, and I think the part that I have to take offense to in Mr. Ryan's presentation in his argument, is the cry that we are raising Community Legal Services by 33 percent. That is a very inaccurate perception, although it is factually correct. It is a good lawyer's argument; it is a good trick. The problem is that what has happened over the course of the last 4 or 5 years is that Community Legal Services has been strangled. The money flow that came from the State, which would bring in, in many cases, increased Federal dollars through matching programs, has been restricted and restricted, and Mr. Ryan continues to lead the assault so that there are no State funds.

If we took any agency, any agency that we have in the Commonwealth of Pennsylvania, and suggested that they operate on exactly the same budget that they had last year, we would hear the cries immediately that inflation has made those dollars worth less; that they cannot fund the same level of services. Mr. Ryan and the opponents of this recognize very clearly that by maintaining the same level year after year, forcing a decrease year after year, that what you are actually doing is forcing a restriction of the amount of services that can be funded for the poor.

Those people who believe that the poor should not receive legal services obviously will vote against this. Those of us who are committed to see some measure of fairness in seeing that poor people have services are going to vote for this, but do not let anyone be deceived that we are voting a 33-percent raise. That is just not real. That is a nice argument, but it is not real. We have cut and cut and cut, and if we maintain the present level, we have cut again. They cannot provide the same number of services, the same number of lawyers, the same number of secretaries, the same rent, the same heat, at this price.

We are not asking for a significant increase; we are asking for an element of fairness. The \$2 million does not restore Community Legal Services fully to the level that we funded it 4 years ago. They vitally need this. No one can argue that there are not problems. Every one of us has had problems, but those problems can be met on a one-on-one basis. We can fight with Community Legal Services as we have done in the past to resolve the problems. This is a vitally needed flow of money to maintain services, not to increase services to the poor, and it should be supported because of that. Thank you.

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

Mr. PRESTON. Thank you, Mr. Speaker.

I was, basically, literally shocked when I heard the statements of Mr. Ryan where we could have used some of the other money, especially the statements of when he went on about on and on and on, because each and every one of us would not have to vote for Legal Services if we would elimi-

nate the problem; if we were doing, really, our jobs and straightening out the economic problems in the State of Pennsylvania.

If you want to vote against the blind, then vote against this bill, because that is who represents an awful lot of the low socioeconomic people. If you want to vote against the people who are in wheelchairs who do not have the finances to go and pay, as Mr. Ryan said, \$200 a hearing, then go ahead and vote against it. If you want to vote against the mentally retarded, if you want to vote against those people who have mental health problems, then go ahead and vote along with Mr. Ryan. If you want to hit the most important thing to me in my district, and that is my senior citizens, then you are going to vote with Mr. Ryan, because those are the people.

Also he mentioned the nursing homes. Who do you think fights for the right for those people to be in the nursing homes and protects their civil rights? There are an awful lot of those people who represent and work through Legal Services. That is what you are going to do if you want to vote with Mr. Ryan, because those people cannot afford to pay, again, \$200 a hearing.

There is not one of you, not one of you, who does not have constituents who do not need Legal Services within your own district. That is what you are doing. What you are saying is that I do not care about those people who are less fortunate. I do not care about the lady who is just on social security, who does not have a chance to go down and fight against someone - a contractor who ripped her off, who promised her something. That is what you are going to do when you want to vote with Mr. Ryan. You have a choice to either stand up and represent those people who are a little bit less fortunate in your own personal district, and this is not just Pittsburgh; this is not Philadelphia or Bethlehem or the urban areas; it is the rural areas, too. It also helps those people who fight for the vans, as far as senior citizens' homes.

Every single thing that we listed on that list is a lot of things that Legal Services represents, because those are the people, in many cases, they have to go out and fight for, because they cannot afford to go to the attorneys, and a lot of those attorneys would not even hear those cases, even if they had the money. So these are some of the things that you are going to have a chance to do. You can do, in my opinion, what is the right thing and fight for the little person, and I think that is what we are here for, because we have not eliminated the economic strife in the State of Pennsylvania, so we are part of the problem.

So therefore, let us help serve it, and let us not vote along with Mr. Ryan. Let us give the little person a chance, and let us do the right thing. I ask for an affirmative vote on SB 1044. Thank you.

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

Mr. REBER. Thank you, Mr. Speaker.

It is very seldom that I take the microphone and disagree with the words of my distinguished leader, whom I respect, mainly because of his profession, but there was something he

said today that extremely bothered me, and that was the fact that it has been his experience that the Legal Aid attorneys do not practice like private attorneys.

Mr. Speaker, my law office is just a few blocks down the street from the Legal Aid office in Pottstown, Montgomery County, and I guess simply because of its geographic location and possibly not by the expertise of the attorneys who reside in that office, we seem to have more than our share of people wander in who, for some reason or other, do not quite qualify for legal aid and therefore fall within the standards of having to go see a private attorney. Now, let me tell you, Mr. Speaker, those people's plights are virtually the same as those people who have to avail themselves of the services of Legal Aid, and unfortunately as it might be, in some instances, because I can honestly say in many instances, I know that these people are not charged. If we can handle a case, it is a form of pro bono work that we do, and we get them back out on the street and hopefully have solved their problem because of the minuteness of it. But in many instances, those marginally nonqualified people for Legal Aid are required to be charged a fee, and if you will recall the debate as set forth by my distinguished leader, he was concerned about how Legal Aid seems to run through the hurdles many of these clients who are paying for these services on the other side of a case.

Mr. Speaker, I think what is even more concerning to me is the situation where you have those very, very low income but yet nonqualifying people who have to pay an attorney who are run through the hurdles by the silk-stocking-type clients, if you will, who are prejudiced, not necessarily because of the running-through-the-hurdles aspect but the fact that that is an inherent problem with our judicial system, and in many instances, I think the same thing befalls the dichotomy that Mr. Ryan was talking about in regard to the Legal Aid case and the private individual, if you will. So I do not think it is fair to generalize and say that Legal Aid does not practice like private attorneys, because in a private-attorney-versus-a-private-attorney case, we have those same problems that Representative Ryan was talking about.

Mr. Speaker, if I can just shift gears a minute, this is the fourth budget that I have had the privilege to sit through. As I can best recollect—and I do not have the staff available like my leader does, with all the statistics and standing here and giving the props to me—it seems to me that we have not over the years funded with State money very much, if any, over the past 4 years for Legal Services.

Mr. Speaker, more often than not, I happen to be in this chamber when we open our ceremonies every morning, and those ceremonies are opened with the Pledge of Allegiance to the Flag. There are four words at the end of that Pledge of Allegiance that always stand out in my mind; they are "equal justice for all." Let me tell you, if you do not have access to the legal system anymore, you are not going to have that equal justice.

I think it is about time that this General Assembly take a long, hard look at itself. We appropriate every year hundreds of millions of dollars that we complain are being wasted for

welfare, welfare payments, if you will. I would submit that a lot of those people might not necessarily be on welfare if in fact in various instances they had the right to appropriate legal counsel, or should I say, appropriate access to legal counsel; not access to the courts, but just simply to some downright confidential advice. That particular kind of advice, on more occasions than not—Yes, there are abuses; there are abuses in everything that this General Assembly probably puts on the books. But I think in more instances than not, it has been my experience, having worked for Legal Aid-type organizations early in my career, having worked in conjunction with Legal Aid organizations throughout my career, that I certainly think it is a worthwhile activity.

Now, if I can finally shift gears one more time, Mr. Speaker, I am going to tell you why I am not going to vote for this appropriation.

I am not going to vote for this appropriation because I think it is totally inconsistent with what we have been doing through the legislative process the past few days. I do not think we should be singling out anyone, although I think this is an excellent example of where additional concern should be given by our leadership in the weeks—not months and years, but the weeks—to come, to consider what equitably should be done to take care of some of the injustices that I have just enumerated. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lehigh, Mr. McHale.

Mr. McHALE. Thank you, Mr. Speaker.

Mr. Speaker, it is my belief that in the next few minutes we are going to be making one of the most important decisions faced by this House of Representatives during the last year and a half. A few minutes ago, the gentleman, Mr. Ryan, made some comments that were based on his personal experience. If I may, I would like to do the same thing.

I have been a member of the bar of the Supreme Court of Pennsylvania for about 7 years. Although I have never been employed by Legal Services, throughout most of that time I have been a volunteer attorney working with attorneys from Legal Services and I have handled cases on a pro bono basis throughout that 7-year period. Mr. Speaker, I can tell you that in my home county, Lehigh County, you do not get to work with a Legal Services attorney unless you are facing an imminent emergency. Unless you have a hearing that is scheduled to occur in the very near future, or unless you are the victim of spouse abuse or a similar situation, Legal Services is beyond your reach, simply because those services are overwhelmed by their caseload.

About 2 hours ago we created 20 new common pleas judge-ships here in the Commonwealth of Pennsylvania. Based on my experience, when you appear before a judge in a trial court, when you walk through that courtroom door and prepare to appear before the judge, if you do not have an attorney standing by your side, you do not have equal access to justice in that courtroom.

I think if there is any fundamental principle in a democracy, that principle is reflected in the inscription that appears over the entrance to the United States Supreme Court. When I was a law student in Washington, I walked by that court every day and I read that inscription. It meant something to me. "Equal justice under law." We in the next few minutes must make a decision as to whether or not we really mean that. The decision that we have to make is whether justice in the courts of the Commonwealth of Pennsylvania will be available to all of our citizens or just those who can afford it. It is that simple.

Now, during his earlier comments, Mr. Ryan made reference to the Legal Services system and said it is not one of his pet projects. I can tell you it is one of mine. The reason why it is, Legal Services is not some entity that just floats out there in the ozone. Legal Services is an advocacy agency; they fight for poor people. I have handled, in the last 7 years, hundreds of legal cases, and I am absolutely convinced that if you want to have justice in the courtroom, you must have access to competent legal advice. And if in the next few minutes, out of frustration or boredom or a difference of philosophy, we vote down SB 1044, what we are saying is, during fiscal year 1985, poor people will not obtain justice in Pennsylvania.

It was also said earlier—and, Mr. Speaker, I will close with this—that we will not change many minds today with our rhetoric. I do not know if I have changed any minds at all, but I can tell you that I am convinced, not just professionally but emotionally, that if we do not find the votes to increase this appropriation by \$2 million, a lot of citizens in the Commonwealth of Pennsylvania will not be terribly impressed that we have enough judges when they know that if they appear in front of those judges they will not obtain justice.

I urgently request of the members of the House of Representatives an affirmative vote, not just in support of SB 1044 but in support of all those citizens in our Commonwealth who cannot afford to purchase justice on the bartering block. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. BROUJOS. Mr. Speaker, the speaker, Mr. Ryan, raised some very good points concerning the conduct of Legal Services. I, too, have gone through the experience with Legal Services attorneys because I have had them be so stubborn and pigheaded as mules that I was furious with them. I have had them insist on going through elaborate eviction proceedings and defenses for landlord and tenant cases; I have had them take appeals; I have had them conduct themselves in ways that I thought were not in conformity with the way in which I, as an attorney, would conduct myself and had conducted myself. But for everyone whom I found who acted that way, I found and know five regular practicing attorneys who are just as bad, if not worse, and just as arbitrary, and just as stubborn and taking just as many appeals. The only difference was that they were backed by the deep pocket and as much money as they wanted to take for their clients as far as they wanted to go. So that knife cuts both ways.

Now, with respect to the appeals and the actions of Legal Services attorneys, they have established some of the fundamental law in this State. They established, in Franklin County, the warranty of habitability of a home as a tenancy. That is the law of the land. It is the law of the land because the Supreme Court said that is what it should be, and it happened to be a Legal Services attorney who raised that case and raised that question and took that appeal all the way, and that is important.

There has been expression of concern with respect to lobbying among us. Well, I would like to know what the difference really is, and what is so wrong about a hard-working Legal Services attorney who leaves his job that he is working maybe 50, 60, 70 hours and takes a day or a few hours to come up? On the other hand, what is so right about the well-to-do going to the Governor's Home for a whoop-de-do and a fundraiser and then going into the deliberations of an Ethics Commission and making a decision? What is the difference between the paid lobbyists and the paid legislative assistants in every department in the Commonwealth? The administration has an elaborate system of legislative liaisons who are on this Hill lobbying all the time.

And again, it is a question of who it is. There seems to be something special about the Legal Services people. It seems that when people represent the poor, somehow that person is just a little different. Somehow that person does not have the same respect and does not have the same standing. Those Legal Services attorneys are excluded from some bar associations; they are excluded from association with other attorneys; they are looked down on because they are representing the poor. So this question becomes a matter of elitism, and I do not say that with respect to the speaker, Mr. Ryan. He is an honorable gentleman and his cause is his own and believed in. But much of the opposition is based on an elitist attitude toward the proletariat of the legal profession.

Those people who are working in Legal Services are in the trenches. They are doing the work; they are doing the dirty work that other attorneys do not want and will not take. Those who scream the loudest in the bars in which I have been privy are those who say, why do they get these big fees? They have fee-producing cases; they are doing this; they are doing that. Not one of those well-to-do attorneys would take on a case. They are the ones who will say, bring in \$500 and I will talk to you. So this elitism is part and parcel of the opposition to Legal Services, and it is because these people are doing their job and they do not dress as well and maybe they do not go to the country clubs and maybe they do not have the same demeanor and the same manners and the same clothes, but they are men and women doing an important job, and a job that has to be done for the people.

With respect to legal fees, I know when those fees have been generated, and they have often been generated in accordance with statute. The law says that a legal fee must be awarded. Now, if that fee is waived, what is the effect? The effect is lost. The effect is what you, the legislators, have said is important, and that is, we must have fees charged and paid to deter

improper conduct. Those fees must be paid, and when they are paid to Legal Services in our county, they are paid into the fund which is part of the General Fund.

So one by one, the objections that have been raised by the gentleman, Mr. Ryan, and others are knocked down to a cocked hat, because it seems that they spring primarily from the lack of appreciation for the function that is performed. These people are doing important work, they are doing work that is essential to the justice that is provided under our Constitution, and I ask for an affirmative vote for this appropriation.

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

Mr. PICCOLA. Thank you, Mr. Speaker.

I would like to quote to the House from the Code of Professional Responsibility which was adopted by the Supreme Court of Pennsylvania and which is to apply to all lawyers practicing law within the Commonwealth of Pennsylvania. I quote from canon 2 of that code: "The basic responsibility for providing legal services for those unable to pay ultimately rests upon the individual lawyer, and personal involvement in the problems of the disadvantaged can be one of the most rewarding experiences in the life of a lawyer. Every lawyer"—every lawyer, Mr. Speaker—"regardless of professional prominence or professional workload, should find time to participate in serving the disadvantaged. The rendition of free legal services to those unable to pay reasonable fees continues to be an obligation of each lawyer...Every lawyer should support all proper efforts to meet this need for legal services." I end my quote, Mr. Speaker.

Now, by passing this bill and further subsidizing this program of free legal services, we are further encouraging, over and above what we have already done, lawyers within the Commonwealth of Pennsylvania to shirk their responsibilities under the Code of Ethics. Rather than pass this bill, Mr. Speaker, we should place this responsibility for legal representation of the disadvantaged squarely where it belongs, and that is upon the shoulders of each individual attorney in the Commonwealth of Pennsylvania, regardless of his place or of his practice. We do that by placing the responsibility upon the State and local bar associations, and we send that message to those associations by rejecting SB 1044. Thank you, Mr. Speaker.

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

Mr. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, there is very little, really, to add to what has been said. I would just like to say that the main charges against Legal Services and free legal aid are, in part, charges because there is a lack of money. Mr. Ryan made reference to the boiler plate nature of some of the defenses and accusations that are made by lawyers for Community Legal Services, how they are merely copies of other cases. That is because they do not have enough money to hire enough lawyers to evaluate the individual cases themselves. Giving them this extra money will reduce that kind of abuse and will greatly aid

not only the people receiving the legal aid but those who may be sued by Legal Aid, because there will be adequate screening of cases.

Secondly, earlier we heard about the Public Interest Law Center of Philadelphia. That is not at all connected with Legal Aid. It is not connected with Community Legal Services, which is a Legal Aid affiliate in Philadelphia. The Public Interest Law Center is run exactly like Mr. Piccola wants it to be run - it is a completely privately founded, privately funded, privately manned organization. It has succeeded in suing the Commonwealth of Pennsylvania for millions of dollars, and when we cut out publicly funded organizations, organizations over which we have at least some degree of influence, we are encouraging the field to be abandoned to private organizations that have no sense of public responsibility and therefore feel free to sue this Commonwealth for millions of dollars.

I would think the best course of public responsibility would be to support this bill.

The SPEAKER. The Chair thanks the gentleman.

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

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

Will the gentleman from Westmoreland, Mr. Kukovich, consent to interrogation?

The SPEAKER. Will the gentleman, Mr. Kukovich, stand for interrogation?

The gentleman, Mr. Kukovich, indicates he will stand for interrogation. The gentleman, Mr. Foster, is in order and may proceed.

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

Mr. Speaker, do you agree with the practice of Legal Aid attorneys representing students and assisting them in defaulting on PHEAA (Pennsylvania Higher Education Assistance Agency) loans?

Mr. KUKOVICH. If I think I understand the question, it was, do I personally agree with Legal Services attorneys representing students for something with PHEAA loans? What was the question?

Mr. A. C. FOSTER. Students who are in default of PHEAA loans.

Mr. KUKOVICH. Well, I think if anybody meets the qualifications underneath the poverty line, then they should have the right to representation, the same as someone with money or the wealthy who might have failed some contractual commitment. It is called equal justice under the law, Mr. Speaker.

Mr. A. C. FOSTER. Mr. Speaker, do you think that is a good expenditure of our tax dollars, to assist someone to default on loans that we make to them through this legislature?

Mr. KUKOVICH. Mr. Speaker, I have two responses to that. One, I read earlier in my first statement where the vast majority of work goes, and that is an insignificant amount. And secondly, I think anybody deserves access to the courts no matter what their income, no matter who they are. I think that is the hallmark of democracy.

Yes, Mr. Speaker, I do.

Mr. A. C. FOSTER. Mr. Speaker, would you then take such a case yourself? Mr. Speaker, it may be one thing for you to take such a case yourself, but do you then agree that we should spend our tax dollars so that we then lose tax dollars on the other end to those in default on these loans?

Mr. KUKOVICH. Mr. Speaker, if an individual is wrong, we lose nothing. If the individual is right, they deserve to win and have their day in court. I would suggest that you are quibbling over pennies, if anything, while on the other hand, 85 percent of the people in this State who deserve representation are not receiving it. And even with this rather modest allocation in this budget, they are still not going to receive all the necessary support and legal representation that they deserve.

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

I would like to make a statement at this point.

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

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

While the gentleman from Westmoreland may feel this was quibbling and we are talking about pennies, I submit that to the people in the rural areas, these are tax dollars and hard-earned tax dollars, and it goes down very hard to see Legal Aid taking such cases and assisting those defaulters on student loans that we have made available through this legislature. I urge a negative vote on SB 1044.

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

Mr. RICHARDSON. Thank you, Mr. Speaker.

Mr. Speaker, I rise to support SB 1044, and I thought today about what would be appropriate in terms of trying to convince people that this matter before us is of such grave importance, and I really did not find too much different to say than what has already been said by those who have been speaking in favor of it, but I did think that perhaps maybe the appeal to the consciences of those who are sitting in this chamber and saying that there is something that is greater sometimes to recognize than it is not to go back and talk about those individual persons who cannot fight or defend for themselves. And I thought of this: For some reason in this Commonwealth—and I have not been able to convince the press, nor have I been able to convince many of you in this House—the majority of poor people who exist within this Commonwealth happen to be white people, and for some reason there is not any sympathy given to the whole strategy of understanding that in the rural areas, in the urban areas, in the farm areas, in the little boroughs, in the little townships, in the little cities that we have around this Commonwealth—

I believe this is serious, and I know some do not feel that it is, but I believe it is serious. I believe it is serious any time when you recognize that there are people within the Commonwealth who are begging and asking for assistance, who for no reason of their own may have to require some legal assistance, get an attorney and have someone fight for them because they have no one else to fight for them, and there is this great resi-

stance in this House of Representatives. Every one of you in this House of Representatives has either come across or come in contact with your constituents who suffer from some problems, whether it is 1 percent in your district, whether it is 2 percent, 5 percent, 10 percent, 15 percent, 25 percent, or 75 percent of your district which may call for persons who may need some assistance, and it seems to me that the request of \$2 million is a mere pittance when you begin to recognize the millions of dollars that we spend in this Commonwealth on other issues.

It would seem to me that it would be greatly different if those persons, as we traveled around this Commonwealth and went into those little, small pockets where the boroughs and townships exist in the Commonwealth of Pennsylvania, people asked this question: Do we really have legislators who are really concerned about us, or are they only concerned about themselves? As chairman of the Urban Affairs Committee, I said to them that there are many who are sympathetic, but certainly if you wrote to them more and you expressed your feelings to them more, then perhaps people would really believe that there is a crisis, particularly for poor people, and they would not be looked upon as being those individual persons who really do not rate. And I know that the age-old theory continues to rise in the minds of many members on this floor when they say, well, those poor people do not even vote, so therefore, why should I even care about them? Well, I think we should care about them because they are human beings, because they do exist, and because people in this Commonwealth who are maybe in a less fortunate position than yourselves deserve the support of the members of this House of Representatives.

Now, a lot of people laugh and feel that it is a joke, it is a game. I do not feel that way. I think that you have people who have come and have said, look, you have gotten on us, you have punished us, you have given us all of the definitions that you feel now should be required under the law to say that Pennsylvania Community Legal Services, in fact, is in a position now to receive money, but you have decided that we are going to keep on beating a dead horse to death, that you are going to continue to just make them pay over and over again for any wrongdoing that you saw as being wrong. But sometimes we have to right and rright the wrongs of our mothers and our fathers and our foremothers and our forefathers and realize the importance of those individual persons who do not have any right, who do not have anybody standing up for them. And it really upsets me to see how we will fight for the things in our areas that we believe are correct, but when any of us grab this microphone to speak on issues that concern us about the problems that face us in our areas, there is a different attitude that is given towards our problem in our constituency. I believe that is unfair. But, of course, fairness is not a key rule here, because as we are told so many times, it is politics, and whoever has the horse, that is who wins.

I think today that if there is anything that could be said which would register my major complaint about the nonvotes yesterday on the budget, it is to speak to one of these issues of

Community Legal Services and the fact that there has got to be a way to help those people in this Commonwealth who do not get the assistance that they need. It seems to me that Community Legal Services has, in fact, paid its dues, has, in fact, emerged as the organization that in fact is willing to go out there with their topnotch lawyers to try to do what they can to help the persons who cannot fend for themselves.

I think about it over and over and over again, and I say to you today, Mr. Speaker, please give consideration to the person who cannot afford the rich lawyer, cannot go out and buy his way through court, cannot go out and buy his way through the law, but think of the person who needs assistance, and because there is a Community Legal Services there, an arm that can assist him, that you would be willing to take your heart and say that instead of me casting a negative vote on something that is positive, I am willing to help that one little, small percent of people in this Commonwealth, even though I may not represent that constituency, and say they deserve a break. We are not taking tax dollars away from individual persons who in fact work hard for it by telling them that we are going to give it to Community Legal Services. We take moneys for tourism; we take moneys for anything else that you can name. Whether it is in fish and game, whether it is in any other area that you believe is important to your area, you take it and ply the moneys for that area. Here is an area for poor people who do not have anybody to stand up and fight for them, and we are trying to say to the members of this House, give them a break for a change, and give them an opportunity.

I beg the members of this House in our approach today to remember those who do not have, and remember that the world has always been based on the haves versus the have-nots. In this case, why do you not bend your heart a little bit and give to the have-nots and give Community Legal Services a break and vote to give them the \$2 million and vote SB 1044 in the affirmative.

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

Mr. WAMBACH. Thank you, Mr. Speaker.

I feel obligated to stand up and speak on behalf of SB 1044, because I think without it we are creating a double system of justice. We are creating a system for those who can afford, and for those who cannot afford, we are telling ourselves, let us turn our backs on them. Without SB 1044, only those who can pay will be afforded entry into our justice system.

We do not have equal justice under the law if we do not have access for all. Let us live by those words, "with liberty and justice for all." Not for just a few, Mr. Speaker; not for many, Mr. Speaker; not for just some, Mr. Speaker; not for most, Mr. Speaker, but liberty and justice for all. 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.

(Members proceeded to vote.)

VOTES CHALLENGED

The SPEAKER. Are there challenges?

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I think it would be fair to allow some of the members to get to the floor, but before you close the board, those who have not arrived, I would like to—

The SPEAKER. The Chair will keep it open and ask if there are any challenges from either side.

Are there any challenges, Mr. Ryan?

Mr. RYAN. Mr. Barber?

The SPEAKER. Mr. Barber was on the floor. Is he here?

Mr. RYAN. If the Speaker says he saw him on the floor, I accept that.

The SPEAKER. He was on the floor, yes.

Mr. RYAN. Mr. Donatucci?

The SPEAKER. Mr. Donatucci is not on the board; he is on leave.

Mr. Barber is now here.

Mr. RYAN. I agreed that Mr. Barber be voted.

The SPEAKER. Are there any further challenges?

Mr. RYAN. One moment.

Mr. Speaker, I have a list of names that I will call out.

Mr. Donatucci, Mr. Fattah, Mr. Kowalyszyn, Mr. Misceovich, Mr. McIntyre, Mr. Rieger, Mr. Wachob, Mr. Wargo, and Mr. Williams.

Mr. Wargo is here. I apologize to the gentleman.

And Mr. Rappaport.

The SPEAKER. If the gentleman would give me that list ad seriatim.

Mr. RYAN. Mrs. Rudy?

The SPEAKER. Mrs. Rudy was here. Has she left?

Mr. RYAN. I do not see her, Mr. Speaker. I am sorry.

The SPEAKER. She is not voted.

Mr. RYAN. Mr. Rappaport?

The SPEAKER. Mr. Rappaport is not voted.

Mr. RYAN. Thank you.

Mr. Donatucci?

The SPEAKER. He is not voted.

Mr. RYAN. Mr. Fattah?

The SPEAKER. Mr. Fattah was here. Is he here? Call him in if he is here.

Mr. RYAN. Mr. Kowalyszyn?

The SPEAKER. Mr. Kowalyszyn? Strike the vote.

Mr. RYAN. Mr. Misceovich?

The SPEAKER. Is Mr. Misceovich here? He is not on the board.

Mr. RYAN. He was just removed.

Mr. McIntyre?

The SPEAKER. Not on the board.

Mr. RYAN. Mr. Rieger?

The SPEAKER. Not on the board.

Mr. RYAN. Mr. Wargo is here.

Mr. Williams?

The SPEAKER. Is Mr. Williams here? Strike the vote.

Mr. RYAN. Mr. Fattah is still on the board. I am sorry; they have since removed him.

Mr. Misceovich is back on the board, Mr. Speaker.

The SPEAKER. If Mr. Misceovich is here, he is to remain on the board. If he is not, strike it. Mr. Misceovich is off.

The clock has been running for 3 minutes and 56 seconds. Under the rules we can run it until 10 minutes but no more.

Mr. RYAN. Mr. Speaker, I thought I had seen Mr. Rybak. If the Speaker tells me that he was here at the time of the vote, I will accept that.

The SPEAKER. Mr. Rybak was definitely here. I saw him coming down the aisle.

Seven minutes and thirty seconds now. Are there any other challenges from either floor leader?

Mr. HAYES. Mr. Speaker?

The SPEAKER. Mr. Hayes, challenges?

Mr. HAYES. Mr. Wachob?

The SPEAKER. Is Mr. Wachob on the board? Is Mr. Wachob here? Strike the vote.

Any other challenges from the leaders? Mr. Hayes, any further challenges? From the majority leader?

Under the rules we may still keep the count open for another minute and a half.

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—100

Afflerbach	Duffy	Livengood	Rybak
Alderette	Durham	Lloyd	Seventy
Baldwin	Evans	Lueyk	Showers
Barber	Fee	McCall	Steighner
Battisto	Freeman	McHale	Stewart
Belardi	Gallagher	McMonagle	Stuban
Belfanti	Gamble	McVerry	Sweet
Blaum	Gannon	Maiale	Taylor, F. E.
Broujos	George	Manderino	Telek
Burns	Greenwood	Markosek	Tigue
Caltagirone	Gruitza	Michlovic	Trello
Cappabianca	Haluska	Micozzie	Truman
Carn	Harper	Miller	Van Horne
Cawley	Hoeffel	Morris	Wambach
Civera	Hutchinson	Murphy	Wargo
Clark	Itkin	O'Donnell	Weston
Cohen	Jarolin	Olasz	Wiggins
Cole	Kasunic	Oliver	Wogan
Cordisco	Kosinski	Petrarca	Wozniak
Cowell	Kukovich	Petrone	Wright, D. R.
DeLuca	Lashinger	Pievsky	Wright, R. C.
DeWeese	Laughlin	Pistella	Zwilk
Daley	Lescovitz	Pratt	
Dawida	Letterman	Preston	Irvis,
Deal	Levin	Richardson	Speaker
Dombrowski	Linton		

NAYS—81

Armstrong	Freind	McClatchy	Ryan
Book	Fryer	Mackowski	Saloom
Bowser	Gallen	Madigan	Salvatore
Boyes	Geist	Manmiller	Saurman
Brandt	Gladeck	Mayernik	Scheetz
Bunt	Godshall	Merry	Schuler
Burd	Grieco	Moehlmann	Semmel
Cessar	Gruppo	Mowery	Sirianni
Cimini	Hagarty	Nahill	Smith, B.
Clymer	Hasay	Noye	Smith, L. E.

Cornell	Hayes	O'Brien	Snyder, G. M.
Coslett	Herman	Peterson	Spencer
Coy	Hershey	Phillips	Stairs
DeVerter	Honaman	Piccola	Stevens
Davies	Jackson	Pitts	Swift
Dietz	Johnson	Pott	Taylor, E. Z.
Fargo	Kennedy	Punt	Vroon
Fischer	Klingaman	Reber	Wass
Flick	Lehr	Reinard	Wilson
Foster, W. W.	Levi	Robbins	Wright, J. L.
Foster, Jr., A.			

NOT VOTING—19

Angstadt	Fattah	Perzel	Snyder, D. W.
Arty	Kowalshyn	Rappaport	Spitz
Colafella	McIntyre	Rieger	Wachob
Dininni	Miscevich	Rudy	Williams
Dorr	Mrkonjic	Serafini	

EXCUSED—2

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. For the information of the members, some of you have been calling home to your educational divisions and giving them information from yesterday's educational subsidy printout. The Chair has been advised that a new printout was released today by the Appropriations Committee. The Chair has been advised that they are in your mailboxes. You ought to check and see whether or not you have given misinformation by comparing today's printout with yesterday's.

REQUEST FOR RECESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, there are still a number of bills that must come to us from the Senate. I imagine that process will take the next hour and a half. My suggestion would be, although I would like to stay here and continue to work, we have very little to work on, although we are waiting for a number of bills that we must get before we leave. So my suggestion would be that we recess, Mr. Speaker, for an hour and a half and return to the floor at 7 o'clock, and hopefully, all of the bills will be here by that time and we can finish quickly. If they are not all here, we may be a little longer. That is all I can suggest.

The SPEAKER. The Chair thanks the gentleman.

RECESS

The SPEAKER. The House stands in recess until 7 p.m.

AFTER RECESS

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

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 HB 2114, PN 3400.

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 HB 690, PN 3388.

BILL SIGNED BY SPEAKER

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

HB 690, PN 3388

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for certain construction and repairs and the letting of certain contracts; further providing for contracts with certain private institutions; providing for the interpretation and construction of certain collective bargaining agreements; providing a compensation plan for school administrators; further providing for the assignment of pupils to schools; providing for remedial education programs; further defining "Factor for Educational Expense"; further providing for payments on account of instruction; limiting certain payments; and making editorial changes.

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 6, PN 2214.

CALENDAR CONTINUED REPORT OF COMMITTEE OF CONFERENCE CONSIDERED

Mr. MANDERINO called up for consideration the following Report of the Committee of Conference on SB 6, PN 2214, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "bus" and "motor-driven cycle"; changing requirements for certificates of title, transfers of ownership, transfers between dealers and manufacturers; further providing for junked vehicles; providing for the duration of security interests; requiring registrations and certificates of

title; exempting additional vehicles from registration; authorizing permanent fleet registration; changing the designation of certain plates; providing a penalty for leaving the scene of an accident involving an unattended vehicle or property; further providing for certain emergency equipment, ice grips and tire studs and window materials; further providing for certain school buses; providing penalties for violations of regulations; and providing a limited exemption from inspection for newly purchased vehicles.

On the question,

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

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

YEAS—189

Table listing names of members who voted 'YEAS' (189 total). Includes names like Fargo, Lloyd, Ryan, Alderette, Fattah, Rybak, etc.

NAYS—3

Table listing names of members who voted 'NAYS' (3 total): Gruppo, Honaman, O'Donnell.

NOT VOTING—8

Table listing names of members who did not vote (8 total): Burns, Clymer, Greenwood, Reinard, Rudy, Serafini, Telek, Wright, J. L.

EXCUSED—2

Donatucci Marmion

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.

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Gruppo.

Mr. GRUPPO. Mr. Speaker, there was a problem with my switch here. I was attempting to vote "yes," and it was recorded as "no." I would like to be recorded in the affirmative on the Conference Committee Report on SB 6. Thank you.

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

SENATE MESSAGE

AMENDED HOUSE BILLS
RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 630, PN 3321; HB 902, PN 3332; and HB 1898, PN 3381**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SUPPLEMENTAL CALENDAR I
BILLS ON CONCURRENCE
IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **HB 630, PN 3321**, 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 act of July 14, 1971 (P. L. 221, No. 43), entitled "An act regulating the time of payment of wages and earnings of railroad employes," further providing for the manner of the payments.

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

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

Mr. HAYES. Mr. Speaker, in fairness to the members, I guess there should be at least some statement as to what the Senate did with regard to HB 630. All they did was take out the line "at no cost to the employe."

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Cambria, Mr. Stewart.

Mr. STEWART. That is correct, Mr. Speaker.

The SPEAKER. Mr. Stewart recommends, and concurred in by Mr. Hayes, a vote in the affirmative.

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—199

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

NA'YS—0

NOT VOTING—1

Rudy

EXCUSED—2

Donatucci Marmion

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following **HB 902, PN 3332**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for absentee ballots.

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

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

Mr. ITKIN. Mr. Speaker, the Senate combined the contents of HB 846 with the contents of HB 902 in revision of HB 902. What these bills do is to provide for absentee balloting for persons who are unable to vote because of a religious observance or because, as a county employee, they have election-related duties and are unable to vote at their polling place. This would allow them to vote by absentee.

The SPEAKER. The Chair recognizes the minority whip.

Mr. HAYES. The gentleman is correct, and I urge concurrence.

The SPEAKER. It has been moved by the gentleman, Mr. Itkin, and concurred in by the gentleman, Mr. Hayes, that the House do concur in Senate amendments.

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

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

YEAS—198

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

Coslett	Jackson	Petrarca	Vroon
Cowell	Jarolin	Petrone	Wachob
Coy	Johnson	Phillips	Wambach
Deluca	Kasunic	Piccola	Wargo
DeVerter	Kennedy	Pievsky	Wass
DeWeese	Klingaman	Pistella	Weston
Daley	Kosinski	Pitts	Wiggins
Davies	Kowalshyn	Poti	Williams
Dawida	Kukovich	Pratt	Wilson
Deal	Lashingier	Preston	Wogan
Dietz	Laughlin	Punt	Wozniak
Dinianni	Lehr	Rappaport	Wright, D. R.
Dombrowski	Lescovitz	Reber	Wright, J. L.
Dorr	Letterman	Reinard	Wright, R. C.
Duffy	Levi	Richardson	Zwikt
Durham	Levin	Rieger	
Evans	Linton	Robbins	Irvis,
Fargo	Livengood	Rudy	Speaker

NAYS—0

NOT VOTING—2

Brandt McMonagle

EXCUSED—2

Donatucci Marmion

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

Ordered, That the clerk inform the Senate accordingly.

* * *

The clerk of the Senate, being introduced, returned the following **HB 1898, PN 3381**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act establishing within the Pennsylvania Higher Education Assistance Agency Regional Computer Resources Centers and Regional Computer Resource Center boards.

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

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

Mr. D. R. WRIGHT. Mr. Speaker, I urge concurrence in the Senate amendments.

The SPEAKER. Will the gentleman explain briefly what the Senate did?

Mr. D. R. WRIGHT. Yes, Mr. Speaker, I will do that.

When the bill left the House it had an Information Technology Education Board, and that has been eliminated. That is the essential difference. There is no board now that would bridge PHEAA (Pennsylvania Higher Education Assistance Agency) and the Department of Education.

The second major change is that the Senate, in its amendment, put the entire program, both the computer acquisition and the inservice teacher education, in PHEAA.

Those are essentially the provisions of this amendment. The SPEAKER. The Chair recognizes the minority whip.

Mr. HAYES. I wonder if the gentleman would just, in one or two sentences, remind the House what this legislation purports to do.

The SPEAKER. Proceed, Mr. Wright.

Mr. D. R. WRIGHT. Mr. Speaker, this is a bill which is designed to provide two things. One is computers and computer software for the schools in Pennsylvania; and in addition to that, a second thing, and that is to provide inservice training for teachers in the use of computers for instructional purposes.

The SPEAKER. What is the recommendation of the gentleman, Mr. Hayes?

Mr. HAYES. The gentleman has correctly stated what the amendments are. I would just recall to the members' attention the fact that this piece of legislation was quite controversial when it was considered just a few legislative days ago. It has to do with the establishment of computer programming services in regional centers. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

It is moved by the the gentleman, Mr. Wright, that the House do concur in Senate amendments.

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

Mr. FARGO. Thank you, Mr. Speaker.

Would Representative Wright please stand for a couple of questions?

The SPEAKER. Mr. Wright will stand for questions.

Mr. D. R. WRIGHT. I will make the answers as brief as the questions, Mr. Speaker.

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

On the last page of this, in an addition by the Senate, they seem to have indicated that they require that we purchase software and computers to be loaned to children who are going to private schools. Are there any limitations as to how many computers we have to buy in the State and provide for the nonpublic school students?

Mr. D. R. WRIGHT. Mr. Speaker, as you know, we are prohibited by our Constitution to—

The SPEAKER. May the Speaker interrupt?

Is the question on the Senate amendments?

Mr. D. R. WRIGHT. Yes.

The SPEAKER. All right. In that case you may answer, but only on the Senate amendments, not into the substance of the bill. Continue.

Mr. D. R. WRIGHT. As you know, Mr. Speaker, we are prohibited by our Constitution from giving outright grants to nonpublic schools. The provision of this bill and the amendment which was inserted in the Senate would make it possible for us to loan computer hardware and software to nonpublic schools up to 20 percent of the total appropriation for the bill. That is the limit; no more than 20 percent.

Mr. FARGO. What is the total appropriation of this bill?

Mr. D. R. WRIGHT. The appropriation was in the budget bill which you voted on last night, Mr. Speaker, and for the hardware, it was about \$4.7 million, as I recall.

Mr. FARGO. Thank you, Mr. Speaker.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—184

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

NAYS—12

Deal	Jackson	Noye	Scheetz
Fargo	Levi	Punt	Snyder, D. W.
Fryer	Moehlmann	Richardson	Swift

NOT VOTING—4

Barber	Hutchinson	McVerry	Rudy
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EXCUSED—2

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

Ordered, That the clerk inform the Senate accordingly.

SUPPLEMENTAL CALENDAR C CONTINUED
REPORT OF COMMITTEE
OF CONFERENCE CONSIDERED

Mr. PIEVSKY called up for consideration the following Report of the Committee of Conference on **HB 2053, PN 3391**, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp. Sess., P. L. 87, No. 3), entitled "An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; * * *," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

On the question,

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

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

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

Mr. Speaker, yesterday when this House considered a motion to concur or nonconcur in Senate amendments to **HB 2053**, I expressed concern that if we would nonconcur, this bill would go back to a conference committee and in fact have funds reduced for the University of Pittsburgh before this bill would again be presented to the House of Representatives. That is exactly what happened. The conference committee chose to eliminate what had been a proposed \$2.5-million appropriation for the Falk Clinic to provide medical services to indigent individuals in the Pittsburgh area.

I am going to urge that we accept the conference report, but I want to note our great disappointment that some conferees insisted that that \$2.5-million appropriation be taken out. Those individuals, those conferees who insisted that that money be taken out, did a disservice to the university, did a disservice to those individuals who benefit from that medical service, and in fact did a disservice to many individual members of this House and the other chamber who were supportive of that particular appropriation. I hope that we will choose a little bit later on this year to restore that appropriation, but at this particular time I do not see any particular point in delaying the appropriation for the university any further. I would emphasize that they have been treated differently than Temple University was treated. They have been treated differently than some other institutions were treated where legislation went back to a conference committee and in fact had more funds added. In this case, funds were taken out.

Mr. Speaker, with that in mind, I would indicate that we will make an attempt on another day to have those funds restored. At this time we would urge concurrence in this report. Thank you.

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

The Chair recognizes the minority leader.

Mr. **RYAN**. Mr. Speaker, there is merit to giving increases to as many institutions as there are in the Commonwealth. I hope at some later date Pitt can get more money. I hope at some later date Temple can get more money, Penn State can get more money, Penn, Lincoln, every one of our institutions.

I am not going to try and belabor this, but just so that the record is clear with respect to the way I feel, speaking as an individual on Pitt, Pitt got a 7-percent, a shade over 7 percent, increase. Penn State, by way of example, got an increase which, if you take the ag extension moneys out of their money—and I do not believe that should be attributable to Penn State, because it went to all of our counties; it did not go to Penn State as such—it brings Penn State down to 7.6 percent. There is a difference, I agree. There evidently was need shown, and it may well be that over the summer months this need will be better shown to us with respect to Pitt than it was at the time the agreement was entered into.

I would ask that we vote in the affirmative on **HB 2053**.

The **SPEAKER**. The Chair recognizes the gentleman from Allegheny, Mr. Cessar.

Mr. **CESSAR**. Thank you, Mr. Speaker.

I join the minority floor leader in asking concurrence on this bill so that Pitt may get the money and then can go and proceed further for the educational quality that they have offered to the people of Pennsylvania. I urge concurrence, Mr. Speaker.

The **SPEAKER**. It has been moved by the minority leader, concurred in by the gentleman, Mr. Cowell, and the gentleman, Mr. Cessar, that the committee of conference report be adopted.

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—198

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

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

NAYS—2

Duffy Rudy

NOT VOTING—0

EXCUSED—2

Donatucci Marmion

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

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

**AMENDED SENATE BILL
RETURNED FOR CONCURRENCE**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House by amending said amendments to **SB 853, PN 2243**.

Ordered, That the clerk present the same to the House requesting concurrence.

SUPPLEMENTAL CALENDAR J

**BILL ON CONCURRENCE
IN SENATE AMENDMENTS
TO HOUSE AMENDMENTS**

The clerk of the Senate, being introduced, returned the following **SB 853, PN 2243**, with information that the Senate has concurred in the amendments made by the House by amending said amendments in which the concurrence of the House of Representatives is requested:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," changing provisions relating to crime victim's compensation; reestablishing and continuing the Crime Victim's Compensation Board; further providing for the Crime Victims' Compensation Fund; changing provisions relating to the rights of victims of crime; making an editorial change; and making an appropriation.

On the question,

Will the House concur in Senate amendments to House amendments?

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

Mr. SWEET. Thank you, Mr. Speaker.

Mr. Speaker, SB 853 is the crime victims' compensation package that most of you have now voted for four or five times. It has passed unanimously in the House each time.

The Senate made some very minor technical changes that were most necessary to be made in this package. I would strongly urge, Mr. Speaker, that we concur with this package of bills. It is the product of a lot of study and hard work by the House Subcommittee on Crime and Corrections. I would ask for a concurrence vote, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. PICCOLA. Thank you, Mr. Speaker.

I join the gentleman, Mr. Sweet, in urging a concurrence vote. Thank you.

The SPEAKER. On the question, shall the House concur in the Senate amendments to House amendments, the gentleman, Mr. Sweet, and the gentleman, Mr. Piccola, concurring, urge that the vote be in the affirmative.

On the question recurring,

Will the House concur in Senate amendments to House amendments?

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

YEAS—198

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

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

NAYS—0

NOT VOTING—2

Letterman Rudy

EXCUSED—2

Donatucci Marmion

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

Ordered, That the clerk inform the Senate accordingly.

CALENDAR CONTINUED

BILL ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 1102, PN 1941**, entitled:

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," further providing for after-the-fact payrolls.

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—198

Afflerbach	Fargo	Livengood	Ryan
Alderette	Fattah	Lloyd	Rybak
Angstadt	Fee	Lucyk	Saloom
Armstrong	Fischer	McCall	Salvatore
Arty	Flick	McClatchy	Saurman
Baldwin	Foster, W. W.	McHale	Scheetz
Barber	Foster, Jr., A.	McInryre	Schuler
Battisto	Freeman	McMonagle	Semmel
Belardi	Freind	McVerry	Serafini
Belfanti	Fryer	Mackowski	Seventy
Blaum	Gallagher	Madigan	Showers
Book	Gallen	Maiale	Sirianni
Bowser	Gamble	Manderino	Smith, B.
Boyes	Gannon	Manmiller	Smith, L. E.
Brandt	Geist	Markosek	Snyder, D. W.
Broujos	George	Mayernik	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	Stuban
Cessar	Haluska	Mrkonic	Sweet
Cimini	Harper	Murphy	Swift
Civera	Hasay	Nahill	Taylor, E. Z.
Clark	Hayes	Noye	Taylor, F. E.
Clymer	Herman	O'Brien	Telek
Cohen	Hershey	O'Donnell	Tigue
Colafella	Hoeffel	Olasz	Trello
Cole	Honaman	Oliver	Truman
Cordisco	Hutchinson	Perzel	Van Horne
Cornell	Itkin	Peterson	Vroon
Coslett	Jackson	Petrarca	Wachob
Cowell	Jarolin	Petrone	Wambach
Coy	Johnson	Phillips	Wargo
Deluca	Kasunic	Piccola	Wass
DeVerter	Kennedy	Pievsky	Weston
DeWeese	Klingaman	Pistella	Wiggins
Daley	Kosinski	Pitts	Williams
Davies	Kowalyshyn	Pott	Wilson
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.
Dorr	Letterman	Reinard	Zwikel
Duffy	Levi	Richardson	
Durham	Levin	Rieger	Irvis,
Evans	Linton	Robbins	Speaker

NAYS—0

NOT VOTING—2

Merry Rudy

EXCUSED—2

Donatucci Marmion

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

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

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, looking over the roll-call vote on the Pitt appropriation bill, the lady, Mrs. Rudy, has informed me that she voted in the affirmative but the roll-call sheet for some reason has a negative vote. I wish the record will correct the same.

The SPEAKER. The record will reflect the corrections of the majority leader.

SENATE MESSAGE

**AMENDED HOUSE BILLS
RETURNED FOR CONCURRENCE**

The clerk of the Senate, being introduced, returned **HB 1310, PN 3333**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

SUPPLEMENTAL CALENDAR H

BILL ON CONCURRENCE IN SENATE AMENDMENTS

The clerk of the Senate, being introduced, returned the following **HB 1310, PN 3333**, 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), further providing for a reduction in the rate of corporate net income tax, credits and interest on underpayments and payment of interest, additions and penalties.

On the question,

Will the House concur in Senate amendments?

The **SPEAKER**. On that question, the Chair recognizes the gentleman from Northampton, Mr. Freeman.

Mr. **FREEMAN**. Thank you, Mr. Speaker.

I rise to oppose HB 1310. Like every member of this House, I want to see businesses and the jobs they create come to Pennsylvania. Like every member of this House, I want to see existing Pennsylvania businesses and the jobs they create thrive and expand. However, Mr. Speaker, this bill will not accomplish those goals.

Under HB 1310, there is not a single guarantee that the revenues which we return to corporations will be reinvested in Pennsylvania jobs and Pennsylvania businesses. There is nothing in this bill that will insure that those returned revenues will be pumped back into Pennsylvania's beleaguered economy. It is far more likely that those lost moneys will be invested either in the Sun Belt or abroad, where the investments are far more lucrative. We must never forget that corporations are organized for the sole purpose of making a profit. There is nothing wrong with that. Indeed, it is a cornerstone of our Nation's economic system. But because of that principle of economics, it is the reality that these returned revenues will not be reinvested in our State, at least not until the long-term effects of the recently passed economic development package can take effect. In short, this bill will simply foster the flight of capital out of our State at a time when those funds could be utilized for needed programs within this Commonwealth.

Mr. Speaker, we have already provided the funds and programs needed to spur economic development, attract businesses, and create jobs in Pennsylvania. That was the whole idea behind the \$190-million bond issue to begin with. This reduction in the corporate net income tax is not needed. In fact, it will undermine the good work that we have begun with the bond issue package.

Should this bill pass tonight, the loss of revenue to our State will amount to \$16 million this year, \$50 million next year, and a whopping \$90 million the year after that. Just hours ago this chamber voted down a request for needed increased funding for Legal Services, services that would have helped the poor properly represent themselves in court. This chamber denied that request, even though the moneys we are about to give away could easily have covered the cost of that increase.

Mr. Speaker, the question arises as to where we will make up this loss of revenue which will become quite burdensome in the years to come. It is my concern that by reducing the corporate net income tax, we open the door to either a raid on the Lottery Fund or an increase in the personal income tax. Both of these alternatives are highly undesirable, particularly in light of the many unmet needs of our senior citizens and last year's personal income tax increase. I find it particularly unfair that we are reducing the corporate net income tax while we have taken no action to lower the personal income tax. We, in effect, reward multinational corporations who owe no allegiance to any State, but those families who have made Pennsylvania their home will go unrewarded for their devotion to this Commonwealth.

The proponents of the corporate net income tax reduction have said that a lower corporate tax rate will make Pennsylvania a more attractive place for businesses to locate, but the corporate income tax rates of our neighboring States are comparable to ours. The difference of 1 percent will not put us in a superior position.

Time and again, studies have shown that a State's corporate income tax is not a deciding factor in a business' decision to locate in a State. The quality of life in a State is far more important in luring businesses. The quality of a State's schools, its parks, and its infrastructure are far more important in attracting new businesses. The skills and training of a State's work force are far more important in attracting businesses. All of this we have done by passing the economic package funded by the bond issue.

In Pennsylvania we never decoupled from the Federal corporate tax schedule. The changes made by the Reagan administration in the Federal corporate tax schedule have already resulted in the loss of millions of dollars in revenue for our State. This corporate net income tax reduction will dramatically add to that loss of revenue.

Mr. Speaker, in conclusion, let me note that many members of both parties in this House have waved the banner of fiscal responsibility. Many of those individuals have said time and again that government should be run like a business. Now is the time to prove the value of that axiom, for no business in its right mind would ever give back millions of dollars without some guarantee of where and how those dollars will be used.

I urge a "no" vote. Thank you, Mr. Speaker.

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

Mr. **LETTERMAN**. Thank you, Mr. Speaker.

Mr. Speaker, I rise in favor of HB 1310. I had a bill that would do exactly the same thing as Senator Howard's, and I had about 100 sponsors on it. I certainly do not think that we should take and put any stipulations on this bill at all, and I would like to see it passed just the way it is. Thank you.

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

The Chair recognizes the minority leader.

Mr. **RYAN**. Mr. Speaker, I do not intend to take up much of the House's time.

I think the record is replete with the feelings of the majority of the members of this legislature as to how we feel we can best accomplish an atmosphere here in Pennsylvania to help the business community, and this is an essential part of that package.

The SPEAKER. The Chair recognizes the gentleman from McKean, Mr. Mackowski.

Mr. MACKOWSKI. Mr. Speaker, may I say this to the opposition to this bill: This country is the greatest country in the world built basically because they believed in free competitive enterprise, not just free enterprise, competitive enterprise.

Mr. Speaker, I think I have made my point. Thank you.

The SPEAKER. I think you made your point.

Those in favor of concurring with the United States flag and the free competitive enterprise system will vote "aye"; those who are opposed, at their own risk, will vote "no."

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—192

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

Evans	Lucyk	Rybak	Speaker
Fargo	McCall		

NAYS—7

Afflerbach	Freeman	Kukovich	Pistella
DeWeese	Hoeffel	Michlovic	

NOT VOTING—1

Kowalshyn

EXCUSED—2

Donatucci Marmion

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

Ordered, That the clerk inform the Senate accordingly.

ANNOUNCEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, we have completed the work of the day. We have received and passed all of the bills that we must receive and pass before we adjourn. I would move that we recess until the call of the Chair so that there can be bill signings that have to be signed here and that we receive the adjournment resolution, and the members are free to leave.

The SPEAKER. There being no further business for the members on the floor, the Chair wishes you a very happy and a very healthy summer vacation.

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1551, PN 2914**, with information that the Senate has passed *the same without amendment*.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 987, PN 2205; SB 1080, PN 2199; SB 1083, PN 2204; SB 1217, PN 2206; SB 1239, PN 2207; and SB 1340, PN 2217**.

BILLS SIGNED BY SPEAKER

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

HB 630, PN 3321

An Act amending the act of July 14, 1971 (P. L. 221, No. 43), entitled "An act regulating the time of payment of wages and earnings of railroad employes," further providing for the manner of the payments.

HB 902, PN 3332

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for absentee ballots.

HB 1310, PN 3333

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for a reduction in the rate of corporate net income tax, credits and interest on underpayments and payment of interest, additions and penalties.

HB 1551, PN 2914

An Act prohibiting persons from refusing to provide property or services to individuals who do not possess credit cards; providing for enforcement of the act; providing remedies; and imposing civil penalties.

HB 1898, PN 3381

An Act establishing within the Pennsylvania Higher Education Assistance Agency Regional Computer Resources Centers and Regional Computer Resource Center boards.

HB 2114, PN 3400

An Act amending Titles 24 (Education) and 71 (State Government) of the Pennsylvania Consolidated Statutes, further providing for additional supplemental annuities for special early retirement, and authorizing participation in limited partnerships and venture capital investments.

SB 1083, PN 2204

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for interference with custody of children.

REMARKS ON VOTES

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

Mr. FATTAH. Mr. Speaker, I would like to have it put on the record that if I was able to have gotten to my switch on SB 1044, I would have voted in the affirmative.

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

The Chair recognizes the gentleman from Northampton, Mr. Kowalyszyn.

Mr. KOWALYSHYN. Mr. Speaker, I ask that my vote be cast in the affirmative on HB 1310.

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

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

Mr. BROUJOS. Mr. Speaker, I request to be recorded in the affirmative on SB 1329.

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

For what purpose does the gentleman from Crawford, Mr. Swift, rise? To correct the record?

Mr. SWIFT. Yes, Mr. Speaker, please.

The SPEAKER. The gentleman will state his remarks for the record.

Mr. SWIFT. On the Conference Report on HB 690 the record shows that I voted in the negative. I would like the record to show that I voted in the positive.

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

Mr. SWIFT. Thank you, Mr. Speaker.

RECESS

The SPEAKER. The Chair would like to inform the staff that the Senate may be an hour or more before it completes its work. That means it will be necessary for senior staff to be here at the call of the Speaker. The Speaker will be here. We should finish, I should imagine, in about 45 minutes, and then you will be free to go.

This House stands in recess subject to the call of the Speaker.

AFTER RECESS

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

SENATE MESSAGE**ADJOURNMENT RESOLUTION
FOR CONCURRENCE**

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate, June 29, 1984

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, September 17, 1984 unless sooner recalled by the President Pro Tempore, and when the House of Representatives adjourns this week it reconvene on Monday, September 17, 1984 unless sooner recalled by the Speaker.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 2405

By Representatives BROUJOS, GREENWOOD, MICHLOVIC, EVANS, MRKONIC, VAN HORNE, KUKOVICH, WOZNIAC, GAMBLE, COLE, REINARD, ARTY, CESSAR, CLYMER, PRATT, WASS, BATTISTO, RUDY, DUFFY, PRESTON, RIEGER, DAWIDA, HOEFFEL, FRYER, SERAFINI, GEIST, BURNS, D. R. WRIGHT, FREEMAN, GODSHALL and SCHEETZ

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for rates.

Referred to Committee on CONSUMER AFFAIRS, June 29, 1984.

No. 2406 By Representatives CLYMER, GRUPPO, JAROLIN, CAWLEY, NOYE, HAYES, COSLETT, REINARD, BURNS and STEVENS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, increasing the penalty for damaging traffic-control devices; and requiring the payment of replacement costs.

Referred to Committee on TRANSPORTATION, June 29, 1984.

No. 2407 By Representatives DEAL, COHEN, RICHARDSON, LEVIN, EVANS, IRVIS, SALVATORE, OLIVER, MORRIS, CARN, TRUMAN, WILLIAMS, McMONAGLE, CALTAGIRONE, GAMBLE, TIGUE, MAIALE, HARPER, SWEET, BLAUM, GALLAGHER, RUDY, LESCOVITZ, COWELL, COLAFELLA, WOZNIAK, PIEVSKY, FREEMAN, BOYES, CAWLEY, STEWART, BELARDI, STUBAN, DAVIES, MANDERINO, CAPPABIANCA, DeWEESE, DOMBROWSKI, CORDISCO, GANNON, BURNS, DURHAM, PISTELLA, KUKOVICH, LAUGHLIN and COY

An Act amending the "Senior Citizens Rebate and Assistance Act," approved March 11, 1971 (P. L. 104, No. 3), further defining "homestead"; and providing for claims by tenants of owners of tax-exempt real estate.

Referred to Committee on FINANCE, June 29, 1984.

No. 2408 By Representative D. W. SNYDER

An Act providing for the payment of State and municipal tax liens and claims and certain delinquent real property taxes from the proceeds of fire insurance policies in certain circumstances.

Referred to Committee on FINANCE, June 29, 1984.

No. 2409 By Representatives PITTS, GEIST, MURPHY, CESSAR, BOOK, PETRONE, TRELLO, DeLUCA, PISTELLA, BELFANTI, SALVATORE, O'BRIEN, PERZEL, McVERRY and BURD

An Act establishing a cooperative corporation and giving it powers and duties; and providing for the establishment, operation and functions of area labor management committees.

Referred to Committee on LABOR RELATIONS, June 29, 1984.

No. 2410 By Representative LASHINGER

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), further providing for ineligibility for assistance.

Referred to Committee on HEALTH AND WELFARE, June 29, 1984.

No. 2411 By Representatives STUBAN, PITTS, WILSON, MORRIS, HUTCHINSON, A. C. FOSTER, JR., FLICK and O'BRIEN

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

Referred to Committee on FINANCE, June 29, 1984.

No. 2412 By Representative IRVIS

An Act amending the act of June 22, 1931 (P. L. 594, No. 203), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," adding a certain new route.

Referred to Committee on TRANSPORTATION, June 29, 1984.

No. 2413 By Representative DAVIES

An Act providing for the review of moral claims against the Commonwealth arising from wrongful imprisonment; and making an appropriation.

Referred to Committee on APPROPRIATIONS, June 29, 1984.

SENATE BILLS FOR CONCURRENCE

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

SB 1386, PN 2234

Referred to Committee on CONSERVATION, June 29, 1984.

SB 1387, PN 2213

Referred to Committee on TRANSPORTATION, June 29, 1984.

SB 1044 RECONSIDERED

The SPEAKER. The Chair has before it a motion for reconsideration, filed by the gentleman, Mr. Manderino, whereby he moves for reconsideration of the vote by which SB 1044 was defeated on June 29, 1984.

On the question,

Will the House agree to the motion?

Motion was agreed to.

**BILL PLACED ON FINAL PASSAGE
POSTPONED CALENDAR**

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I move that SB 1044 be placed on the final passage postponed calendar.

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

SENATE MESSAGE

**SENATE ADOPTS REPORTS OF
COMMITTEES OF CONFERENCE**

The clerk of the Senate, being introduced, informed that the Senate has adopted the Reports of the Committees of Conference on the subject of the differences existing between the two Houses on **HB 88, PN 3399; HB 1858, PN 3401; HB 2052, PN 3390; HB 2053, PN 3391; HB 2054, PN 3392; HB 2055, PN 3393; HB 2056, PN 3394; HB 2059, PN 3395; HB 2074, PN 3396; HB 2082, PN 3397; HB 2088, PN 3398; and HB 2110, PN 3382.**

SENATE MESSAGE

**HOUSE AMENDMENTS
CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 56, PN 2203; SB 750, PN 2145; SB 1159, PN 2233; and SB 1339, PN 2242.**

SENATE MESSAGE

**HOUSE AMENDMENTS
NONCONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 1326, PN 2232**, and has appointed Senators KUSSE, SHAFFER and STOUT a committee of conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

MOTION INSISTING UPON AMENDMENTS

Mr. MANDERINO moved that the House insist upon its amendments nonconcurred in by the Senate to SB 1326, PN 2232, and that a committee of conference on the part of the House be appointed.

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

**APPOINTMENT OF
COMMITTEE OF CONFERENCE**

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on SB 1326, PN 2232: Messrs. HUTCHINSON, PRATT and POTT.
Ordered, That the clerk inform the Senate accordingly.

BILLS SIGNED BY SPEAKER

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

HB 88, PN 3399

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for additional judges for the courts of common pleas, compensation of assigned district justices and assignment of senior Philadelphia Municipal Court judges.

HB 1858, PN 3401

An Act amending the act of August 23, 1961 (P. L. 1068, No. 484), entitled, as reenacted and amended, "An act to provide for the creation and administration of a Coal and Clay Mine Subsidence Insurance Fund within the Department of Environmental Resources for the insurance of compensation for damages to subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; providing penalties for the violation thereof; and making an appropriation," providing for applications for additional insurance; and providing for automatic increases for inflation.

HB 2052, PN 3390

A Supplement to the act of April 1, 1863 (P. L. 213, No. 227), entitled "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural Colleges," making appropriations for carrying same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

HB 2053, PN 3391

A Supplement to the act of July 28, 1966 (3rd Sp. Sess., P. L. 87, No. 3), entitled "An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; * * *," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

HB 2054, PN 3392

A Supplement to the act of November 30, 1965 (P. L. 843, No. 355), entitled "An act providing for the establishment and operation of Temple University as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; * * *," making appropriations for carrying the same into effect; providing for a basis for payments of such appropriations; and providing a method of accounting for the funds appropriated.

HB 2055, PN 3393

A Supplement to the act of July 7, 1972 (P. L. 743, No. 176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth

to serve as a State-related institution in the higher education system of the Commonwealth; * * *," making appropriations for carrying the same into effect; providing for a basis for payment of such appropriations; and providing a method of accounting for the funds appropriated.

HB 2056, PN 3394

An Act making appropriations to the Trustees of the University of Pennsylvania.

HB 2059, PN 3395

An Act making appropriations to The Medical College of Pennsylvania, East Falls, Philadelphia, Pennsylvania.

HB 2074, PN 3396

An Act making an appropriation to the Wistar Institute-Research, Philadelphia.

HB 2082, PN 3397

An Act making an appropriation to the Trustees of the University of Pennsylvania for the general maintenance and operation of the University of Pennsylvania Museum and Morris Arboretum.

HB 2088, PN 3398

An Act making an appropriation to Thomas Jefferson University of Philadelphia, Pennsylvania for the Children's Heart Hospital, Philadelphia, Pennsylvania.

HB 2110, PN 3382

An Act making appropriations from a restricted revenue account within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs.

SB 6, PN 2214

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "bus" and "motor-driven cycle"; changing requirements for certificates of title, transfers of ownership, transfers between dealers and manufacturers; further providing for junked vehicles; providing for the duration of security interests; requiring registrations and certificates of title; exempting additional vehicles from registration; authorizing permanent fleet registration; changing the designation of certain plates; providing a penalty for leaving the scene of an accident involving an unattended vehicle or property; further providing for certain emergency equipment, ice grips and tire studs and window materials; further providing for certain school buses; providing penalties for violations of regulations; and providing a limited exemption from inspection for newly purchased vehicles.

SB 56, PN 2203

An Act amending the act of December 17, 1981 (P. L. 435, No. 135), entitled "Race Horse Industry Reform Act," providing for certain simulcasting of horse races; and defining ownership interest subject to regulation.

SB 750, PN 2145

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the temporary assignment of Philadelphia Municipal Court Judges, for payment by the Commonwealth of the costs and expenses incurred in trials resulting from multicounty investigating grand jury indictments and for interpreters for certain deaf persons in civil proceedings; further providing for budgets; further providing for reimbursement for certain costs; precluding a defense in

actions for support; precluding actions for wrongful birth and wrongful life; and precluding a defense against claims for injuries sustained in utero.

SB 853, PN 2243

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," changing provisions relating to crime victim's compensation; reestablishing and continuing the Crime Victim's Compensation Board; further providing for the Crime Victims' Compensation Fund; changing provisions relating to the rights of victims of crime; making an editorial change; and making an appropriation.

SB 987, PN 2205

An Act combining the radiation safety provisions of the Atomic Energy Development and Radiation Control Act and the Environmental Radiation Protection Act; empowering the Department of Environmental Resources to implement a comprehensive Statewide radiation protection program; further providing for the power of the Environmental Quality Board and for the duties of the Environmental Hearing Board; expanding the authority of the department to regulate other radiation sources; providing for radiation emergency response; establishing requirements for transport of spent reactor fuel; establishing fees; providing penalties; making repeals; and authorizing and directing the Department of Environmental Resources and the Governor to convey ownership to the Carl A. White Acid Mine Drainage Treatment Plant, situated in Washington Township, Indiana County, Pennsylvania, to the County of Indiana, subject to a right of reverter for stated conditions.

SB 1080, PN 2199

An Act amending the act of November 30, 1965 (P. L. 847, No. 356), entitled "Banking Code of 1965," providing clarification that affiliated banks may invest trust funds in each other's common trust or collective investment funds; further providing for investments by institutions; further providing for powers and duties of savings banks; further providing for names; and further providing for powers and duties of boards or committees of institutions.

SB 1102, PN 1941

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), entitled "The Administrative Code of 1929," further providing for after-the-fact payrolls.

SB 1159, PN 2233

An Act amending the act of April 29, 1982 (P. L. 355, No. 99), entitled "Vietnam Herbicides Information Act," designating dioxin as a specific herbicide to be studied by the commission; extending the life of the commission; extending the deadline for making its final report; empowering the commission to initiate an epidemiological study; revising content requirements of report forms; and making an editorial change.

SB 1217, PN 2206

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the allocation of proceeds from the oil company franchise tax and for driving under the influence work release programs; and changing a penalty.

SB 1239, PN 2207

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, defining hazardous material; providing for the effect of amendments to Federal regulations; repealing the penalty for violating Federal law when driving a vehicle; provid-

ing for the transportation of hazardous materials; providing for enforcement of traffic regulations on private property; and making a repeal.

SB 1339, PN 2242

An Act amending the act of July 29, 1953 (P. L. 1034, No. 270), entitled "An act creating as bodies corporate and politic "Public Auditorium Authorities" in counties of the second class and in cities of the second class, singly or jointly; prescribing the rights, powers and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain and operate public auditoriums; to borrow money and issue bonds therefor; providing for the payment of such bonds and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; empowering such Authorities to enter into contracts, leases and licenses with and to accept grants from private sources, the Federal Government, State, political subdivisions of the State or any agency thereof; authorizing the making of said grants from bond funds or current revenues; authorizing Authorities to collect rentals, admissions, license fees for the use of the project; exempting the property and securities of such Public Auditorium Authorities from taxation," extending the provisions of this law to cities of the second class A and counties in which a city of the second class A is located; and making editorial changes.

SB 1340, PN 2217

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, 1984 to June 30, 1985 and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1984.

BILLS RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that all bills currently on the active calendar or on the supplemental calendars be recommended to the Committee on Rules.

On the question,

Will the House agree to the motion?

Motion was agreed to.

REMARKS ON VOTE

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

Mr. RICHARDSON. Mr. Speaker, on HB 1310 my vote was recorded in the affirmative, and I would like the record to reflect that had my switch been operative, I would have voted in the negative.

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

ADJOURNMENT

The SPEAKER. There being no further business to be brought before the House, the Chair recognizes the gentleman from Philadelphia, Mr. Richardson.

Mr. RICHARDSON. Mr. Speaker, I move that this House do now adjourn until Monday, September 17, 1984, at 1 p.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 10:59 p.m., e.d.t., the House adjourned.