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

In the midst of the tensions and anxieties of life, O God, we come apart in spirit to spend a few quiet moments with Thee, for it is in the stillness of life and the moments spent in meditation that we come closest to Thee. We thank Thee for this opportunity and humbly pray that the enrichment thereby may lift us to higher ground and more rewarding experiences in Thy service.

Heavenly Father, keep these workmen of Thine as the apple of Thine eye, impart to them the continued strength and power they need to overcome the difficulties they face, and share with them the success of a task well done. This we ask to the honor and glory of Thy great name. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

MR. FRYER REQUESTED TO PRESIDE

The SPEAKER. The Chair asks that his good friend, the gentleman, Mr. Fryer, preside temporarily over the House. The Chair must go to another ceremony.

HOUSE BILLS INTRODUCED AND REFERRED

No. 286  By Representatives ACOSTA, WAMBACH, ITKIN, DeWESEE, KOSINSKI, RYBAK, MAROKEK, ANGSTADT, PERZEL, KUKOVICH, FATTAH, AFFLERBACH, DeLUCA, KASUNIC, LASHINGER, JOHNSON, TRELLO, MICOZZIE, CIMINI, E. Z. TAYLOR, COLAFELLA, COHEN, CARN, PISTELLA, FISCHER, DONATUCCI and BATTISTÒ

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the rights of child victims and witnesses of criminal acts, for the videotaping of testimony in certain cases, for the testimony of children, and for the use of dolls as testimonial aids; and authorizing certain services.

Referred to Committee on JUDICIARY, February 12, 1985.

No. 287  By Representatives DUFFY, CLARK, OLASZ, MRKONIC and SEVENTY

An Act amending the act of July 28, 1953 (P. L. 723, No. 230), known as the "Second Class County Code," providing a limited preference for certain bidders in counties of the second class.

Referred to Committee on LOCAL GOVERNMENT, February 12, 1985.

No. 288  By Representatives MAYERNIK, MARKOKEK, HALUSKA, MRKONIC, GEORGE, BOYES, ANGSTADT, COY, BELARDI, BELFANTI, POTT, KUKOVICH, GANNON, BOOK, MICOZZIE, STABACK, PETRARCA, ITKIN, DAWIDA, DURHAM, PERZEL, DISTLER, KOSINSKI, BUSH, COLAFELLA, WOGAN, GAMBLE, HERMAN, MICHLOVIC, SWEET, CIMINI, NAHILL, PRATT, JOHNSON, DeWESEE, TRELLO, SEVENTY, CORNELL, FISCHER, E. Z. TAYLOR, D. R. WRIGHT, FREID, CIVERA, ARTY, BUNT, TELEK, KASUNIC, DEAL, MILLER, STEVENS, B. SMITH, GRUPPO, DeLUCA, LUCYK, REBER, OLASZ, RUDY and FREEMAN

An Act amending the act of March 11, 1971 (P. L. 104, No. 3), known as the "Senior Citizens Rebate and Assistance Act," increasing eligibility under the property tax or rent rebate and inflation dividend; and adjusting the rebate and dividend schedule.

Referred to Committee on FINANCE, February 12, 1985.

No. 289  By Representatives MAYERNIK, DOMBROWSKI, MARKOKEK, HALUSKA, POTT, ITKIN, DAWIDA, TRELLO, D. R. WRIGHT, MORRIS, GEORGE, BOYES, ANGSTADT, COY, McVERRY,
No. 290  By Representatives MAYERNIK, MARKOSEK, PETRARCA, ITKIN, DAWIDA, TRELLO and E. Z. TAYLOR

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the “Public School Code of 1949,” further providing for the actual cost with respect to contracts with private residential rehabilitation institutions.

Referred to Committee on EDUCATION, February 12, 1985.

No. 291  By Representatives MAYERNIK, COY, BELARDI, MARKOSEK, KUKOVICH, BOYES, BOOK, STABACK, ITKIN, DAWIDA, DURHAM, SEMMEL, NAHILL, PRATT, DEWESE, TRELLO, BOWSER, FISCHER, E. Z. TAYLOR, D. R. WRIGHT, MORRIS, ARTY, TELEK, DEAL, GRUPPO and GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for handicapped and disabled veterans’ parking; and providing penalties.

Referred to Committee on TRANSPORTATION, February 12, 1985.

No. 292  By Representatives MAYERNIK, MARKOSEK, HALUSKA, POTT, ITKIN, DAWIDA, DISTLER, PRESTON, TRELLO, D. R. WRIGHT and MORRIS

An Act providing for in-lieu-of-tax payments to local taxing districts for land condemned by the Commonwealth for highway construction.

Referred to Committee on FINANCE, February 12, 1985.

No. 293  By Representatives TRELLO, MAYERNIK, SEVENTY, PETRARCA, PETRONE, FRYER, CESSAR, J. L. WRIGHT, FEE, DALEY, MICOZZIE, SIRIANNI, COHEN, DAWIDA, COLAFELLA, BOOK and LANGTRY

An Act amending the act of August 9, 1955 (P. L. 323, No. 130), known as “The County Code,” allowing certain contracts or purchases to be made without advertising or bidding.

No. 294  By Representatives TRELLO, MAYERNIK, SEVENTY, PETRARCA, PETRONE, FRYER, CESSAR, J. L. WRIGHT, PERZEL, FEE, DALEY, SIRIANNI, COHEN, DAWIDA, BELARDI, COLAFELLA, BOOK and LANGTRY

An Act amending the act of April 9, 1929 (P. L. 177, No. 175), known as “The Administrative Code of 1929,” further providing for grants and contracts made by area agencies on aging.

Referred to Committee on HEALTH AND WELFARE, February 12, 1985.

No. 295  By Representatives PETRARCA, SALOOM, SEVENTY, TRELLO, OLSAZ, FEE, VEON, DALEY, VAN HORNE, KUKOVICH, TELEK, RICHARDSON, DEWESE, BELARDI, BALDWIN and STAIRS

An Act providing for the licensing of clubs to conduct games of chance, for the licensing of persons to manufacture and distribute games of chance, for suspension and revocations of licenses, and for fees and disposition of revenues; requiring records; providing for local referendum on gambling by electorate; and prescribing penalties.

Referred to Committee on STATE GOVERNMENT, February 12, 1985.

No. 296  By Representatives MARKOSEK, J. L. WRIGHT, KOSINSKI, COHEN, HALUSKA, MRKONIC, DONATUCCI, DUFFY, DALEY, COY, PETRONE, BUNT, DELUCA, KASUNIC, STABACK, LASHINGER, BOOK, TRELLO, NAHILL, R. C. WRIGHT, STEICHNER, OLSAZ, WAMBACH, GAMBLE, COLAFELLA, ITKIN, LUCYK, PISTELLA and SEVENTY

An Act amending the “State Lottery Law,” approved August 26, 1971 (P. L. 351, No. 91), authorizing the expenditure of lottery funds for senior citizens’ centers; and making an editorial change.

Referred to Committee on FIRE, February 12, 1985.

No. 297  By Representatives RYBAK, OLIVER, GEIST, HALUSKA, TRELLO, LIVINGGOOD, PETRARCA, GANNON, BLAUM, BATTISTO, BELARDI, JOHNSON, E. Z. TAYLOR, LESCOVITZ, McHALE, FREEMAN, PRESSMANN, AFFLERBACH, WAMBACH, GRUPPO, CARN and JOSEPHS

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for mandatory motor vehicle liability insurance coverage.

Referred to Committee on INSURANCE, February 12, 1985.
SENATE BILLS FOR CONCURRENCE

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

SB 176, PN 333
Referred to Committee on JUDICIARY, February 12, 1985.

SB 177, PN 334
Referred to Committee on JUDICIARY, February 12, 1985.

SB 180, PN 335
Referred to Committee on JUDICIARY, February 12, 1985.

SB 183, PN 336
Referred to Committee on JUDICIARY, February 12, 1985.

THE SPEAKER PRO TEMPORE
(LESTER K. FRYER) IN THE CHAIR
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, February 11, 1985

RESOLVED, (the House of Representatives concurring),
That when the Senate adjourns this week it reconvene on Monday, February 25, 1985 unless sooner recalled by the President Pro Tempore, and when the House of Representatives adjourns this week it reconvene on Monday, February 25, 1985 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.

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, the approval of the Journal of Monday, February 11, 1985, will be postponed until printed. The Chair hears no objection.

BILL REMOVED FROM TABLE

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

Mr. MANDERINO. Mr. Speaker, I move that HB 171 be removed from the tabled calendar and placed on the active calendar.

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

HOUSE SCHEDULE

The SPEAKER pro tempore. The Chair wishes to announce that there will be no master roll call at this time. The Chair will conduct the normal housekeeping duties, and the House will return to session at 1:30, at which time there will be a roll-call vote and other votes. So to repeat, the members should have their lunch and be on the floor at 1:30 for the afternoon activities.

CALENDAR

BILLS AGREED TO
ON SECOND CONSIDERATION

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

HB 285, PN 302; HB 117, PN 131; SB 129, PN 278; HB 33, PN 37; HB 34, PN 38; HB 35, PN 39; HB 36, PN 40; and HB 39, PN 43.

WELCOMES

The SPEAKER pro tempore. The Chair is pleased to announce the presence of Patricia M. Dugan, Esq. She is the senior partner of the law firm of Dugan and Kosinski and has served as Representative Kosinski's campaign chairperson since 1982. She is a member of the Democratic State Committee and is a member of the 33d Ward Democratic Executive Committee. She is the guest of Representative Kosinski. The Chair is most pleased to announce her presence.

The Chair wishes to announce that the following boys will be serving as guest pages on Tuesday, February 12, 1985. Will they please rise as their names are called. William Davison, grade 11; Chris Young, grade 11; Keith Massing, grade 10; and Vinton Smith, grade 9. Will the House please greet these gentlemen who are serving on our behalf.

ANNOUNCEMENT

The SPEAKER pro tempore. The Chair has a request from the amendment clerk that any members who have amendments to bills, would they please present them to her at this time, rather than wait until 1:30.

The Chair thanks the gentlemen and ladies of the House for their attention to this matter.

RECESS

The SPEAKER pro tempore. The Chair now announces that this House will be in recess until 1:30 p.m.
AFTER RECESS

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

THE SPEAKER (K. LEROY IRVIS)
IN THE CHAIR

The SPEAKER. The Chair wants to thank the gentleman, Mr. Fryer, for presiding.

RECESS EXTENDED

The SPEAKER. The Chair apologizes to the members and all those within hearing of the Chair’s voice, but it is going to be necessary for us to extend the recess until 2:30. The Chair apologizes. The Speaker did not know that when the first announcement was made, but the Speaker has been advised now that we will not be ready to do business until 2:30.

We will not take a master roll until that time, but there will be debate and there will be final votes in today’s session.

The House will stand in recess until 2:30.

AFTER RECESS

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

The SPEAKER. We have three condolence resolutions on the deaths of former members. We will wait for a period of 3 minutes or 4 minutes for the members to come in, and then we will read the condolence resolutions. Please inform your fellow members when they come in that because there are three condolence resolutions, we will not take a separate standing vote for each one. The clerk will read the first one, then the clerk will hesitate for a few seconds, read the second, and then the third. On the calling of the third, we will take one vote of condolence for all three former members.

STATEMENT BY MR. GRUPPO

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

Mr. GRUPPO. Mr. Speaker, may I have unanimous consent to make a statement?

The SPEAKER. The Chair hears no objection, and the gentleman may proceed.

Mr. GRUPPO. Recently I presented a citation to an individual in my district, a Catholic nun who is about so high and a kindergarten teacher and was my kindergarten teacher several years ago. She has just observed her 50th year in the religious order of the Salesian Sisters of St. John Bosco and has served the community in which I live for about 38 of those years. She was very pleased at receiving the citation and wanted to know whom she could thank in addition to me, and she sent me a letter and asked me to kindly convey her appreciation to the members of the House of Representatives, which I am doing on her behalf.

The SPEAKER. The Chair thanks the gentleman. Would the gentleman like to file the letter with the clerk for the record?

Mr. GRUPPO. Sure.

The SPEAKER. We would very much appreciate having it. The Chair thanks the gentleman.

LETTER SUBMITTED FOR THE RECORD

Mr. GRUPPO submitted the following letter for the Legislative Journal:

Daughters of Mary Help of Christians
Salesian Sisters of St. John Bosco
80 Ridge Street
Roseto, Pennsylvania 18013
February 8, 1985

Mr. Leonard Q. Gruppo
Representative 137th District
House Post Office 161
Main Capitol Building
Harrisburg, Pennsylvania 17120

Dear Mr. Gruppo:

I am very grateful for the citation you obtained from the House of Representatives on the occasion of my 50th Anniversary of my religious profession.

Besides being grateful to the Lord for allowing me to reach to this date, I am indebted to you for your support and kindness during my staying here serving this community.

It is indeed rewarding to see that the efforts of school teachers are not lost but at times produce good citizens that would serve others as you do today.

Please accept my grateful thanks for your kindness and kindly convey my appreciation to the members of the House of Representatives as well.

May God bless you in your work of leading others unto good.

Sincerely,
Sr. Domenica Minutella, FMA.

CONDOLENCE RESOLUTIONS ADOPTED

The SPEAKER. The clerk will read the first condolence resolution.

The following resolution was read:

HOUSE OF REPRESENTATIVES
HARRISBURG, PA.
OFFICE OF THE CHIEF CLERK
RESOLUTION

WHEREAS, Erwin L. Murray, Sr., a former member of the Pennsylvania House of Representatives passed away at the age of sixty-four; and

WHEREAS, Mr. Murray contributed greatly to his community and this Commonwealth through his distinguished service as a member of the Pennsylvania House of Representatives from 1962 to 1966; as a Cameron County Commissioner from 1968 to 1976; and as a member of the Emporium Borough Police Department. He was also a member of the Emporium Volunteer Fire Department and Rescue Squad, VFW, American Legion, Kimes and PTA; and

WHEREAS, A World War II veteran, Mr. Murray was retired from the Pennsylvania Department of Traffic Safety, was a self-
The following resolution was read:

**RESOLVED, That a copy of this resolution be delivered to Mrs. Kathryn E. Eshleman.**

We hereby certify that the foregoing is an exact copy of a resolution introduced in the House of Representatives by the Honorable John E. Barley, Kenneth E. Brandt, June N. Honaman, George W. Jackson, Marvin E. Miller, Jr., Nicholas B. Moehlmann, Matthew J. Ryan, Terry R. Scheetz and Jere W. Schuler, and unanimously adopted by the House of Representatives on the 12th day of February 1985.

K. Leroy Irvis
Speaker

ATTEST:
John J. Zubek
Chief Clerk

The SPEAKER. The clerk will read the third resolution.

The following resolution was read:

**RESOLVED, That a copy of this resolution be delivered to Mrs. Kathryn E. Eshleman.**

We hereby certify that the foregoing is an exact copy of a resolution introduced in the House of Representatives by the Honorable William D. Mackowski and K. Leroy Irvis, and unanimously adopted by the House of Representatives on the 11th day of February 1985.

K. Leroy Irvis
Speaker

ATTEST:
John J. Zubek
Chief Clerk

The SPEAKER. The clerk will read the second condolence resolution.

The following resolution was read:

**RESOLVED, That a copy of this resolution be delivered to Mrs. Kathryn E. Eshleman.**

We hereby certify that the foregoing is an exact copy of a resolution introduced in the House of Representatives by the Honorable William D. Mackowski and K. Leroy Irvis, and unanimously adopted by the House of Representatives on the 11th day of February 1985.

K. Leroy Irvis
Speaker

ATTEST:
John J. Zubek
Chief Clerk
WELCOME

The SPEAKER. The Chair welcomes in the gallery as the guests of Representative John Pressmann, Leslie Manning, who is a college intern; Maryellen Cooke, also a college intern; and Jean Creedon, who is his administrative assistant. Welcome to the hall of the House.

MASTER ROLL CALL RECORDED

The SPEAKER. The Chair has been reminded that we have not yet taken a master roll. The members are advised that we are now about to take the master roll for today. The Chair forgot that we had not taken one. The members will proceed to vote.

The following roll call was recorded:

PRESENT—202

Additions—0

NOT VOTING—0

EXCUSED—1

WELCOME

The SPEAKER. I see that we have a member of the United States Congress with us. If you do not recognize him, he is old Joe Kolter, who used to be a member on the floor of the House. Welcome, Joe.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of HB 24, PN 28, entitled:


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

Mr. DOMBROWSKI offered the following amendment No. A0163:

Amend Sec. 1 (Sec. 234), page 2, lines 4 and 5, by inserting brackets before and after "during, between, before or after posted races for that racing day".

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

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

Mr. DOMBROWSKI. Thank you, Mr. Speaker.

This amendment would strike out the words "during, between, before or after posted races for that racing day." These words appear on page 2, lines 4 and 5.

What this would do is allow the track to run one whole card of simulcast racing. The provision of the bill which says that there will be no less than 50 percent live races every week still prevails. It just changes the wording somewhat so that on Tuesdays or Thursdays when they have some races, they can hold an off-the-turf event.

Thank you.

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—191**

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**NOT VOTING—4**

| Borther | Fattah | Pitts | Preston |

**EXCUSED—1**

William

The question was determined in the affirmative, and the amendment was 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—165**

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**NOT VOTING—0**

| Borther | Fattah | Pitts | Preston |

**EXCUSED—1**

William

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.
Ordered, That the clerk present the same to the Senate for concurrence.

* * *

The House proceeded to third consideration of SB 267, PN 357, entitled:

An Act providing for the establishment, operation and administration of a supplemental low-income home energy assistance program; making a State appropriation; and making an additional Federal appropriation to the Department of Public Welfare for the fiscal year 1984-1985.

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, I think I made my feelings on this particular bill very well known here last week.

This bill, as amended, takes some $25 million of State money and it is used for the heating assistance. The bill as it came over here had approximately $20 million of Federal moneys in it for assistance for heating.

This bill is going to pass. It is a political vote now. I have every hope, and I would urge the Senate, at least, to think carefully before they would concur in these amendments.

I think we are making a mistake if we go this way. The testimony or the debate generated by Mr. Laughlin last week, I think, made perfectly clear that of those known to have a need for additional assistance or assistance in this heating season are more than taken care of by the bill as it came from the Senate and as we attempted to amend it last week. Anything over and above that would be speculation. I think that it is a mistake to use our State moneys when there are more than sufficient Federal moneys available to take care of the proven and known needs.

For that reason, Mr. Speaker, I intend to vote "no." I urge the members of the caucus to think of the political repercussions of the vote, and then vote as they see fit.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, briefly, I would ask the members on both sides of the aisle to think of the reality of the need to do something, as they did last week, and not the political ramifications. Some 140 members of this House saw the particular legislation in its correct light last week, and I would ask them to do it again and pass this legislation.

LETTER SUBMITTED FOR THE RECORD

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

Mr. LAUGHLIN. Mr. Speaker, just as the majority leader was brief in his remarks, and the minority leader was certainly brief in his, he made the statement that Representative Laughlin said the last time we debated this bill that there were ample funds to pay for existing applications. Mr. Speaker, I did not make such a remark. I said that there were not sufficient funds to carry the entire some 49,000 people who were on that list. So just to make sure that the record is clear.

And, Mr. Speaker, rather than take up the time of the House, I believe each and every member knows exactly what the issues are and knows that this money is needed to take care of the people in this State who have not had an opportunity to sign up for an energy grant because of the curtailment of the program without notice on January 4. And in support of my position, Mr. Speaker, I would like to submit to you a letter signed by none other than Clifford Jones, who heads the Chamber of Commerce of Pennsylvania and is recognized, I believe, by most in this House as being a person who knows and understands the business climate as well as the governmental climate. It is unusual for myself to use him as a source of information, but, Mr. Speaker, even he agrees with the position that we stated last week, and I would like to submit this letter for the record.

The SPEAKER. The Chair thanks the gentleman.

The gentleman will send the letter for the record. The clerk will file it.

Mr. LAUGHLIN submitted a letter for the Legislative Journal.

(For letter, see Appendix.)

On the question recurring,
Shall the bill pass finally?

The SPEAKER. The Chair recognizes the minority whip.

Mr. HAYES. Thank you, Mr. Speaker.

Since the three previous speakers made reference to what was discussed here last week, I would like to also offer the following comments.

The Senate bill as it came to us from that chamber would appropriate approximately $20 million of available but not-authorized-for-expenditure funds, funds that are already available to this Commonwealth for the heating assistance program. It was an appropriation of $20 million.

Last week when we were debating HB 110, I offered an amendment which would do the same as SB 267. Contrary to how it may have been reported in some popular journals, the amendment that I offered - the bill passed by the Senate - appropriates more than $3 million. Both legislative instruments, the amendment and the bill, would appropriate $20 million for the remaining weeks of this heating season to provide crisis grants for those persons who are faced with the loss of heat. Anyone who tries to describe either legislative proposal as something else is misrepresenting the facts as they really are.

Now, what are Mr. Manderino and Mr. Laughlin advocating today? They would not only appropriate the available Federal funds in the sum of $20 million but they would add $25 million more. There is not one person on the floor of this House of Representatives who can take that microphone and honestly say, based upon any numbers available to them,
available to you, that it is going to cost $45 million more to provide heating assistance in the remaining weeks of this winter season.

I listened last week, and I have listened again today. Neither Mr. Manderino nor Mr. Laughlin have taken the microphone and stated, yes, it is going to require $45 million more, because they know that they do not have one figure, one fact in their possession which, from an adding and subtracting standpoint, basic elementary mathematics, would lead anyone to conclude that it is going to take $45 million to do whatever they want to do.

Now, what else do they want to do besides providing $45 million for a much lesser problem than that? Besides appropriating $45 million in a speculative sort of way, they want to establish a new program in law.

Recall what I mentioned last week. There has not been one year since the heating assistance program began that Federal funds available to Pennsylvania did not satisfy the heating assistance needs of the people of this Commonwealth; not one time. That is not to say that there may not be some time, but we only have but the lamp of experience to guide us here today.

Not one time it was necessary to go beyond the available moneys coming back to Pennsylvania in the form of Federal heating assistance money. But what do they want to do. Appropriate $45 million only? They want to do at least that, but they also want to establish a new State program in law. Read the bill. It is not just an appropriation; it would create a freestanding act not just for the current heating season but for all time's sake. So they want to establish another program in the Department of Welfare for some speculative need that neither Mr. Manderino nor Mr. Laughlin have been able to arithmetically prove will be needed, needed this year or needed next year.

I respectfully suggest, Mr. Speaker, that if we are concerned not only about the people who need heating assistance but also those people who pay Federal taxes and also State taxes—which happen to be all the same people—that we not throw $45 million at a problem that no proponent has been able to say will come up to $45 million. Not one of them on one occasion has been able to show us that, because the numbers would not substantiate such a fallacious claim. I urge a "no" vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. KUKOVICH. Thank you, Mr. Speaker.

Representative Hayes likes to offer these challenges about no person can stand up and talk about the figures. According to DPW (Department of Public Welfare) figures, according to PUC (Public Utility Commission) figures, the average regular assistance grant one time only is $310. If you multiply that by the numbers of eligible households—and it ranges anywhere from $67,000 to $75,000 households—on the average you are talking about a need of somewhere between $20 million to $23 million; that is talking about the average. So there are your figures, Mr. Speaker.

Secondly, the $19 million that you have talked about is money that is already committed. We debated that last week. If it had not already been committed, the program would not have shut down on January 4. That is simply common sense.

Now, you have tried, Mr. Speaker, you have tried to confuse the issue with money for crisis grants. Yes, as we said last week, there is money available for crisis grants, but that is only if people are shut off or in imminent danger of having no heat whatsoever. And due to the PUC moratorium which covers most utilities in this State, that is not really a major problem. What we are trying to do is have the payments made to the eligible families to prevent health hazards and safety hazards and prevent future shutoffs.

I would also suggest that we are using this vehicle because Senator Staufler has said on the other side that he would like something to throw into a conference committee tomorrow so we can work out a compromise.

If you vote "yes" on this bill, you are talking about being interested in working out that compromise and not just saying "no" to tens of thousands of people who need heating assistance. I think whether you are a conservative or a liberal or a Republican or a Democrat, the reasonable vote on this issue is the same, and that is "yes" to pass SB 267.

The SPEAKER. The Chair thanks the gentleman.

For the second time on final passage, the Chair recognizes the gentleman, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, very briefly, the minority whip indicates that Representative Manderino and I are placing State money at risk in a program. He says in the same sentence that he is sure that the Federal money that is available is capable of covering all of the expenses within that program. That being the case, Mr. Speaker, we are not going to use any money of a State nature under your particular program that you mentioned, if your figures in fact were accurate.

The bottom line, Mr. Speaker, is that the gentleman knows that the State money is needed to take care of the people who have not received their grants. The gentleman says that never before has State money been needed to take care of the program, but the gentleman does not say that the Federal administration took $16 million away from the program. The gentleman does not tell us—and it has been repeated numerous times in the House—that the department raised the benefit that was awarded this year, and so, Mr. Speaker, with available moneys it is impossible to cover the same number of people and the grants. There is no member on this side of the House who has debated the bill who is not certain of that as a fact and that the figures are accurate, confirmed by the Department of Welfare and confirmed by everyone who has looked at them with a reasonable eye.

Mr. Speaker, for that reason I would ask for a "yes" vote on the bill.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority whip for the second time on final passage.
Mr. HAYES. Thank you, Mr. Speaker.

Mr. Speaker, the gentleman, Mr. Laughlin, is patently wrong when he states to the membership here today that we received fewer Federal funds in the current year than we did the previous year. Now, I believe I can understand why Mr. Laughlin makes the mistake. As he was using old data last week, he persists in using old data yet today.

The Congress of the United States held Pennsylvania and other Northeastern States harmless so that they would not receive any fewer dollars in the current year than they did last year. Last year the Commonwealth of Pennsylvania received $141 million for this particular program, and it will have received in the current fiscal year $141 million. Now, I suggest that Mr. Laughlin either update his figures or, if he is having an arithmetic problem, he enroll in the TELLS (Testing for Essential Learning and Literacy Skills) program. We received $141 million last year, Mr. Speaker, and Pennsylvania again this year, because of congressional action, will receive also $141 million. Now, that is in complete contradiction to what Mr. Laughlin stated. Maybe if we debate this once or twice more, he will have taken the time by then to check to see whether or not we will not in fact receive $141 million.

Now, as far as what we may prospectively need, I will state again for myself—not having Mr. Laughlin as an interpreter; he interprets what I say—historically, Pennsylvania has been able to satisfy its heating assistance program with available Federal funds. Just a moment ago I expressly stated that that does not mean that forever and a day Pennsylvania will be able to do so, but the lamp of experience tells us that we have been able to do it every year to pass. There is at least reasonableness when one states that it is at least possible to do it one more time; if not, this General Assembly stands ready.

But I would ask you, would any of you manage your own home checkbook? He wants to set aside $45 million, set aside $45 million that neither he, Mr. Manderino, nor Mr. Kukovich can say will in fact be needed. Mr. Laughlin just had the opportunity again. I laid down the challenge to him, and he passed it by. Mr. Kukovich heard the same challenge; he passed it by. The reason they pass it by is because their calculator does not come up to $45 million no matter how they add the figures.

Now, something about Mr. Kukovich's numbers: Mr. Kukovich is cute. Last week and again this week, very glibly, they have offered certain numbers. If they would be honest with this Assembly, Mr. Speaker, they would acknowledge the fact that there are instances where a household will have received more than one grant—a regular prepaid grant and then crisis grants. Some homes receive more than two grants; some have received more than three, certainly more than one, and if you do not treat the numbers with some degree of intellectual honesty, you can come up with bloated arithmetic data.

Now, I am not about to engage anymore in the numbers game. I am just indicating to you, my fellow members, that if you do not use the right data, you are going to have duplication. Now, I would not suggest that Mr. Kukovich intentionally used data that may be somewhat duplicative, but I can tell you that there are numbers being used recklessly around this chamber and in this General Assembly and on this Hill with regard to numbers of households, duplicative payments, whatever the case may be.

Now, Mr. Laughlin made reference to a letter. I was not going to say anything about that letter, but now I will. Not only did Mr. Jones sign the letter but so did several utilities. Guess who gets the vendor payments? And, by the way, a person who has been declared eligible for a heating assistance grant, it is possible, will not use up the money which has been advanced to the vendor on behalf of an eligible applicant, and the money would not be returned, according to program guidelines, to the Commonwealth of Pennsylvania or the Federal Government. The same is true if the payment happened to be made directly to the eligible applicant; that person would not necessarily have to spend that money for heating assistance purposes. I wonder why some of those people whom Mr. Laughlin made reference to would sign such a letter. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. MANDERINO. Mr. Hayes has a knack of dragging me down to his level in debate, but I am going to be dragged once again.

I was not going to say anything about that letter, but now I am going to say something about that letter. It was also signed by the director of social relations, Paul D. Gehris, of the Pennsylvania Council of Churches, and it was also signed by Howard J. Fetterhoff, executive director of the Pennsylvania Catholic Conference, and it was also signed by Gary Grobman, executive director of the Pennsylvania Jewish Coalition, and it was signed by Clifford Jones—as Mr. Laughlin indicated—and it was also signed by Julius Uehlein, the president of the Pennsylvania AFL-CIO.

We ought to look at the letter. Let us talk about what it says, Mr. Speaker. It says, "Forcing people to face a heating crisis,..." as you want them to do through the crisis program, "Forcing people to face a heating crisis before providing energy assistance unnecessarily threatens the family's health and safety and penalizes people, particularly senior citizens, who struggle to keep their energy bills current at the expense of other necessities."

Let us read another paragraph: "According to the Department of Public Welfare, at least 75,000 households who received energy assistance last year will not receive help this year. The early shut down of the energy assistance program has created serious problems for many families who did not get their applications in before the closing date of January 4, 1985."

Now, you remember, Mr. Speaker, when we discussed this last week. Everybody agreed that the shutoff of January 4 was abrupt, was without notice, and it was put into effect because the money had run out. Why else would they put a stop to the applications? If money had not run out, we would not be here asking for additional money.
Now, you can do a lot with figures, and Mr. Hayes does about as well with figures as anyone else - he hides some; he talks about some; he pushes some aside - but there are some figures that we cannot neglect to remember in this debate. One is that the Department of Welfare has the average grant this year up to $310 when last year it was $279. Now, there is no way you can service as many people, giving them a $310 average, as you could when you gave them $279.

In addition, they changed the rules and they made more people eligible by making people eligible who have a poverty income that is 150 percent of what we ordinarily consider the poverty level. So that makes more people eligible. Now, we do not know which people applied before January 4, but it is very possible that people under last year’s eligibility did not make application.

Mr. Hayes also fails to mention, which is very significant, that last year when we started the program, we had $18 million that was unspent from the year before, and we did not have a dime when we started this year’s program, not 10 cents.

Now, Mr. Speaker, I am proud to stand with some of the signatories of this letter. I am proud to stand here and ask the members of this House to vote again as they voted last week, to provide the energy assistance to those families in Pennsylvania who are in need of the same. I think we did the right thing last week. I think that since last week this particular letter that was placed into the record by Mr. Laughlin carries a date of February 12. These organizations at this late date are urging the General Assembly to do something about a problem that is out there. These are the people who work with the unfortunate families wherein they find the need, else they would not be petitioning us to provide the assistance that is necessary.

Mr. Speaker, I ask all of us to do as we did last week and approve the energy assistance program that is before us.

The SPEAKER. The Chair thanks the gentleman.

Mr. RYAN. Mr. Speaker, I do not know whether it was through my own inattention or because someone neglected to give me a copy of that wonderful letter, but I do not believe I ever received such a letter, so my remarks right now are based solely on what I understand this very important letter says.

I did not hear anyone say anything about that group of distinguished Pennsylvanians urging us necessarily to vote on the bill as Mr. Laughlin amended it or that group of distinguished Pennsylvanians and organizations saying, the people have a problem; legislature, solve it. I think that is really what they are saying. They look to the General Assembly and they say, there is a problem out there; people were cut off for whatever reason; you, members of the General Assembly, solve this problem. I do not think Mr. Hayes—I know I did not—and I do not think anyone in this House is unwilling to try and solve the problem.

We have different ways, however, of attempting to solve and address that problem. We are suggesting that rather than use $25 million of State money, that we use $20 million of Federal money to solve the problem. On this floor last week I believe I said if we find that that $20 million of Federal money is inadequate to solve the problem, we can come back in here for another $5 million of State money rather than starting right out by putting $25 million of our State money, which we have earmarked for tax relief, on the line when we can use the Federal money.

I do not think that letter is addressed to me. I do not think the contents of it are addressed to me. I think I have responded to the needs that are pointed out by that letter, I have said time and time again I would support the Senate bill.

Now, if you really want to address this issue quickly, I think we could take the Senate bill which is already passed—it has $20 million in it—send it immediately back to the Senate just for signature; the bill could go before the Governor, be signed, and you could have an act probably within the week. I think the danger that is being run now at the risk of these people who are in need of some assistance is that the Senate might nonconcur in our amendments and end up with a conference committee report. It is so much simpler, so much easier to give the $20 million of Federal money and, if there is a continuing need, come back to the General Assembly for the $4 million or $5 million extra.

It is for all these reasons that I suggest we vote “no” at this time.

The SPEAKER. The Chair thanks the gentleman.

On final passage for the second time, the Chair recognizes the gentleman, Mr. Kukovich.

Mr. KUKOVICH. Thank you, Mr. Speaker.

For Mr. Ryan’s edification, the letter that he alluded to asks us to support immediate legislative action appropriating State funds to reopen the low-income energy assistance program. They want us to spend the State funds, the reason being— And both Mr. Ryan and Mr. Hayes keep talking about this $19 million or $20 million. If they would talk to their own Welfare Department, they would realize that that money is not available, that these 67,000 to 75,000 households will not benefit from any of that money. It has already been committed.

I would also suggest that we have to be concerned about speed, and Mr. Ryan is concerned about getting something to conference committee. The quickest way we can do that is to vote “yes” on this bill. Senator Stauffer has mentioned to some people that he wants this bill as soon as possible so they can meet in conference committee tomorrow. I would suggest we follow our vote of last week, we follow the desires of the Republican Senate sponsor of this bill, and vote “yes.”

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader.

Mr. MANDELLINO. Mr. Speaker, Mr. Kukovich touched on the point that I wanted to touch on, that if Mr. Ryan would check with the Department of Welfare and the people who have handled the applications, he would know that the Federal funds that are in this bill have already been committed. Seventeen million dollars of Federal funds in this bill would not, none of the $17 million, go to fund one additional
application that was not in before January 4. Now, he should know that; he should not try to confuse the House.

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

Mr. FOSTER. Thank you, Mr. Speaker.

SB 267 as presently constituted is typical liberal overkill. Someone's definition of a "liberal" was, if a liberal saw someone drowning 25 feet off a pier, they would throw him 100 feet of rope and then walk away. That is essentially what we are doing right here - a fine way to spend $45 million when about half of that sum would suffice. I would say to the sponsors of the particular amendment, how can you justify this when both the economic climate and the meteorological climate were better in the past year? We had the money for this program last year in better conditions; you mean we do not have it this year? No; you are kidding us. I urge a negative vote.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. AFFLERBACH. Thank you, Mr. Speaker.

I have often heard my good friends, Mr. Ryan and Mr. Hayes, debate with passion on an issue, but as I listened to the debate on this issue both this past week and today, it has occurred to me that their passion with respect to this particular item, as we discuss the ravages of winter upon the poor, may occur because on February 2 it was overcast in both Huntingdon County and Delaware County, and when our little furry friend, the groundsw, poked his nose out of his burrow, the gentlemen may have concluded that there will be no more winter and winter is over. The rest of us recognize that we still have 6 weeks of winter because it was sunny in other parts of the State on February 2 and would like to get on with passage of the bill.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. RICHARDSON. Thank you, Mr. Speaker.

I rise to support SB 267. Last week I did not say anything specifically because I felt that the argument had been made very cogently and it was very clear to me that those here in the House of Representatives understood that there are people in this Commonwealth who in fact are in serious trouble who need assistance. Somehow the interpretation of that assistance has been translated into belief that it only means a crisis. That is not the case. Crisis only means when that person does not have any heat on at all or they have no oil in their tank or they cannot get coal or they cannot get any other substance of heat that may in fact keep them warm because it has been discontinued or because the oil burner has broken down. In the LIHEAP funds, which is the low energy assistance moneys, specifically that was for those who have problems with their bills and have not been able to catch them up. But because of the moratorium period that is on right now, not too many people are clear and understand that that moratorium period only goes to April 1, not April 15 like some people thought, which means that the longer we are hassling over whether or not there is a real need to talk about State funds versus Federal funds, the problem is that there are still many people still being hurt out there who could be getting assistance.

I would think that if we are sincere about our attempt to help those individual persons who are not like you and me, who have heat in our homes every night, and not like our families, who have heat in their homes every night, or families who do not have heat in their homes, and families who in fact are trying to seek a relief for their bills because they cannot pay them, it would seem to me that we would want to help those persons in the Commonwealth. It is not a situation where we can blame any one particular person; it is the fact that you have raised the income level for households within the Commonwealth to receive money. Therefore, it means that we have to take care of those individual persons who have yet to apply.

Senior citizens in December saw it as being very warm; maybe you forgot how warm it was in December. In fact, when it became Christmas time, so many people were talking about the fact that it did not feel like Christmas because there was no snow on the ground and because it was so warm that even that warm day it was not like a Christmas day. People did not apply. Somehow we have forgotten the human element of this being brought in altogether, that there are persons who are senior citizens who have much pride. Now, they will not go to the till unless they actually really need it, and here was an opportunity for them to say, well, it is warm now and I will not go out and try to get any money; I will wait until when it gets cold, and as soon as it began to get cold, that is when it was shut off, cut down, not even given an opportunity to realize that here was an opportunity for them to receive assistance. The House, the members in their legislative districts in the rural areas and the urban areas of the Commonwealth, know that that is in fact the truth. There is nothing to substitute the truth from reality. The reality is that there is a problem with the energy assistance program.

You have honorable men who have signed this document stating that we need to put some State funds in it. For some reason, we do not want to hear that. We are relying on what is being told to us as a fact of the matter, not realizing that immediately, whenever this program is opened, there will be a floodgate there of people trying to get assistance, and all you have to do to prove it is open the program. Put the money in, open the program, and I will guarantee you that it will be filled. But you are afraid to do that, and if you are afraid to do that, then you will never get to the bottom line of seeing whether or not we are telling the truth or whether you are telling the truth. I appeal to the consciences of those who have older grandmothers, older grandfathers, those persons who cannot fend for themselves, those persons in the home whom you have seen who need some assistance, that you would not turn your back on them and vote SB 267. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.
The Chair recognizes the majority leader.

Mr. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, I recently heard and had benefit to hear the definition of a "conservative." You see, a conservative is a man who stands on the dock and sees the drowning man 100 feet away, throws him a 25-foot rope, and tells him to swim to the rope; it builds character.

The SPEAKER. That definition is slightly different from the one that the Chair had achieved privately up here. But the Chair thinks the majority leader's definition is just a little bit superior.

**FILMING PERMISSION GRANTED**

The SPEAKER. Permission has been granted to Mackenzie Carpenter and her crew to film on the floor for Public Television.

**CONSIDERATION OF SB 267 CONTINUED**

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.

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**NOT VOTING—0**

**EXCUSED—1**

Williams

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.

**WELCOMES**

The SPEAKER. The Chair welcomes to the hall of the House some York College nursing students. I think they are probably in the balcony. They are here as the guests of the York County delegation and Mary Ann Arty. Welcome to the hall of the House.

The Chair also welcomes in the balcony six Girl Scouts from Newville, Pennsylvania, with their Scout leader, Mary Ann Souder, and they are here as the guests of Representative Noye. Welcome to the hall of the House.

**BILLS ON THIRD CONSIDERATION CONTINUED**

The House proceeded to third consideration of HB 31, PN 93, entitled:

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), known as "The Second Class Township Code," further providing for the powers of supervisors.

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

Mr. BUNT offered the following amendments No. A0123:

Amend Title, page 1, line 4, by striking out "further providing for the powers of supervisors." and inserting further providing for ambulance and rescue service and for the powers of supervisors.

Amend Sec. 1, page 1, line 7, by striking out "702" and inserting 702 1V. and XLVI.

Amend Sec. 1, page 1, lines 9 and 10, by striking out "is amended by adding a" in line 9 and all of line 10 and inserting and amended June 30, 1969 (P. L. 110, No. 42) and March 13, 1974 (P. L. 192, No. 36), are amended and the section is amended by adding clauses to read:

Amend Sec. 1 (Sec. 702), page 2, by inserting between lines 2 and 3
IV. Fire Protection.—Out of the general township fund to purchase, or contribute to the purchase of, fire engines and fire apparatus, for the use of the township and to appropriate moneys to fire companies located therein for the operation and maintenance thereof, and for the purchase and maintenance of fire apparatus, and for the construction, repair and maintenance of fire company houses, in order to secure fire protection for the inhabitants of the township. An annual report of the expenditure of such appropriated moneys shall be made to the township supervisors for each completed fiscal year of the township by such fire companies, verified by an officer thereof, before any further payments shall be made to such fire companies out of appropriations for any current fiscal year. To ordain rules and regulations for the government of such fire companies and their officers. [To enter into contracts with or to make grants to the proper authorities of near or adjacent cities, boroughs, or townships, or fire departments, fire companies, or fire company therein, for the furnishing to such townships of fire protection by the fire department, fire departments, fire companies, or fire company of such cities, boroughs, or townships, and to make appropriations therefor.]

* * *

IV.11 Joint Contracts.—To enter into contracts with the proper authorities of near or adjacent cities, boroughs and townships either for mutual aid or assistance in fire protection or ambulance and rescue services, or for the furnishing to or receiving from such cities, boroughs, or townships, aid and assistance in fire protection or ambulance and rescue services, and to make appropriations therefor. Provided, That in connection with such contracts it shall not be necessary to receive bids or require bonds as required for other contracts under existing law.

* * *

XL.VI. Ambulances and Rescue and Life Saving Services.—To make regulations within the township or within such limits, as may be deemed proper, relative to the provision of ambulance, rescue and life saving services. To ordain rules and regulations for the government of ambulance and rescue squads and their officers, including the assignment of territorial districts to be served by such squads. To acquire and to operate and maintain motor vehicles for the purposes of conveying sick and injured persons of such townships and the vicinity to and from hospitals, and for such purposes to appropriate and expend moneys of the township or to appropriate money annually towards ambulance and rescue and life saving service, and to enter into contracts relating thereto. All appropriations of money hereofore made and contracts hereofore entered into by any township for such service are hereby validated and confirmed.

* * *

Amend Bill, page 2, by inserting between lines 10 and 11 Section 2. Section 905A.8. of the act, added May 10, 1974 (P.L. 294, No.92), is amended to read:

Section 905. Township and Special Tax Levies.—A. The board of township supervisors may, by resolution, levy taxes upon all real property and upon all occupations, or upon real property alone, within the township made taxable for township purposes, as ascertained by the last adjusted valuation for county purposes, for the purposes and at the rates hereinafter specified. All taxes shall be collected in cash.

* * *

8. An annual tax, not exceeding one-half mill, for the purpose of supporting ambulance and rescue squads serving the township and for the purpose of contracting with adjacent municipalities or ambulance and rescue squads therein for ambulance and rescue services.

* * *

Amend Sec. 2, page 2, line 11, by striking out “2” and inserting 3.

---

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

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

Mr. BUNT. Mr. Speaker, my proposal as drawn up would grant to boroughs and townships approximately the same powers with regard to ambulance and rescue services that they now may exercise with regard to fire protection.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Cambria, Mr. Stewart, on the Bunt amendment.

Mr. STEWART. Thank you, Mr. Speaker.

Would the maker of the amendment stand for interrogation?

Mr. BUNT. I will, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Bunt, indicates he will stand for interrogation. You may proceed, Mr. Stewart.

Mr. STEWART. Thank you, Mr. Speaker.

Mr. Speaker, on page 2 of your amendment, I guess it is section 46, it adds a new section to the code which reads—and I will read it for the record—"To make regulations within the township or within such limits, as may be deemed proper, relative to the provision of ambulance, rescue and life saving services."

Mr. Speaker, would you interpret that to mean things such as how many EMT’s (emergency medical technicians) should be on a vehicle and what sort of equipment should be inside a rescue vehicle?

Mr. BUNT. No, sir.

This legislation will not grant any additional powers to the local municipalities as they pertain to ambulance and rescue service units than what they now deem requireable at our fire companies.

Mr. STEWART. Mr. Speaker, is that new language that you are adding to allow them to make regulations?

Mr. BUNT. It is an extension of language that already exists as it relates to fire companies on page 1 of the amendment. It is the same identical language.

Mr. STEWART. Thank you, Mr. Speaker.

May I speak on the amendment?

The SPEAKER. The gentleman is in order and may so speak.

Mr. STEWART. Mr. Speaker, I disagree with the prime sponsor of the amendment in that I think his amendment expands the powers of a township, and subsequent amendments in boroughs, giving them the power to do just what I think it does and he does not.

There is a great deal of controversy, as you all know, out there as to regulation of private and public and semipublic ambulance services, and I do not think at this time in this type of an amendment we should be opening that door unless we are absolutely sure it does not allow that. I would urge defeat of the amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Union, Mr. Showers.
Mr. SHOWERS. Thank you, Mr. Speaker.

As the prime sponsor of HB 31, I have no objections to this amendment and would urge the members' favorable consideration.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Cumberland, Mr. BROUJOS, on the Bunt amendment.

Mr. BROUJOS, Mr. Speaker, a number of Representatives have asked me what effect the bill would have that we passed last year and sent to the Senate which provides for required agreement among different municipalities with fire companies for service. It does not directly affect that bill. That bill is a separate bill. That is a bill which mandates that there be an agreement where there is extraterritorial service. Here, this provision merely authorizes the boroughs and townships—in this case, boroughs—to enter into contracts and to make regulations. It is authorization; it is not mandatory.

The provisions of this bill are consistent with the bill that we passed last year, and I would ask support for this amendment.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—143

Arty
Baldwin
Barber
Bartlett
Belardi
Belfanti
Blair
Bortner
Bosley
Bower
Brandi
Brogio
Bun
Bard
Burns
Bush
Cappatagione
Cappabianca
Carr
Cawley
Chadwick
Civera
Clark
Collette
Cofl
Col
Cornell
Corelli
Cowell
Coy
Daley
Davies
Deal
Dinunni
Distler
Dombrowski
Donaucci
Durham

Evans
Fargo
Faitah
Fee
Fischer
Foster, Jr., A.
Fried
Fryer
Gallagher
Gallen
Gannon
Gladeck
Godshall
Gratiza
Gruppen
Harper
Half
Hutchinson
Ikin
Jarrolin
Josephs
Kasunich
Kesby
Kisinski
Kukovich
Langtry
Laughlin
Lescomitz
Letterman
Levandoski
Levin

Linton
Livingood
Lucy
McCall
McClary
Mateale
Mandero
Mannilier
Markosek
Merry
Michlovic
Miller
Moehlmann
Morris
Murphy
Murphy
O'Brien
Oliver
Petrazza
Peterson
Pettarelli
Pettarelli
Reiner
Richardson
Rieg
Robbins
Rudy
Ryan
Salome
Saumur
Schee
Selafini
Showers
Staback
Stevens
Stuhm
Taylor, T. E.
Taylor, J. J.
Telck
Tigue
Trelto
Van Horne
Veo
Veo
Wambach
Wesnon
Wiglitz
Wilson
Wozniak
Wright, J. I.
Wright, R. C.

YEAS—193

Acosta
Aiferbach
Angstadt
Argall
Barley
Bermelin
Black
Boek
Boies
Carlson
Cassar
Cenini
Clymer
Cohen
Cordisco

DeVetter
DeWeese
Dawida
Dietz
Dorr
Duffy
Dick
Fletcher
Geist
George
Greenwood
Hagarty
Halaska
Hayes
Hayes

Herman
Hershey
Johnson
Lashinger
Lloyd
McHale
Mowery
Noye
Olaz
Phillips
Pressman
Schuler
Semmel

NOT VOTING—2

Deluca
Fox

EXCUSED—1

Williams

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.

NOT VOTING—2

Deluca
Fox

EXCUSED—1

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

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

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Chester, Mr. Vroon, rise?

Mr. VROON. Just a short statement, Mr. Speaker.

I was recorded erroneously in the positive on HB 24, I wish the record to reveal that I intended to vote in the negative.

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

Bill No.

An Act amending the act of June 23, 1931 (P. L. 932, No. 317), known as "The Third Class City Code," further providing for the powers of council.

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

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—201

NAYS—8

NOT VOTING—1

EXCUSED—1

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

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

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Chester, Mr. Vroon, rise?

Mr. VROON. Just a short statement, Mr. Speaker.

I was recorded erroneously in the positive on HB 24, I wish the record to reveal that I intended to vote in the negative.

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

Bill No.

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), known as "The First Class Township Code," further providing for advertisements relating to contracts.

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

Bill was agreed to.

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

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

* * *

The House proceeded to third consideration of HB 37, PN 41, entitled:

An Act amending the act of June 24, 1931 (P. L. 1206, No. 331), known as "The First Class Township Code," further providing for advertisements relating to contracts.
Amend Title, page 1, line 4, by inserting after "for" ambulance and rescue services and for
Amend Bill, page 1, by inserting between lines 7 and 8

Section 1.  Section 1502 XXXIV. and L.I.V. of the act of June 24, 1931 (P.L. 1206, No. 331), known as The First Class Township Code, reenacted and amended May 27, 1949 (P.L. 1955, No. 569) and amended June 30, 1969 (P.L. 109, No. 41), are amended to read:

Section 1502.  The corporate power of a township of the first class shall be vested in the board of township commissioners. The board shall have power—

***

XXXIV.  Ambulances and Rescue and Life Saving Services. To make regulations within the township or within such limits, as may be deemed proper, relative to the provision of ambulance, rescue and life saving services. To ordain rules and regulations for the government of ambulance and rescue squads and their officers, including the assignment of territorial districts to be served by such squads. To acquire and to operate and maintain motor vehicles for the purposes of conveying sick and injured persons of such township and the vicinity to and from hospitals, and, for such purposes, to appropriate and expend moneys of the township or to appropriate money annually towards ambulance and rescue and life saving service, and to enter into contracts relating thereto. All appropriations of money herefore made and contracts herefore entered into by any township for such service are hereby validated and confirmed.

***

L.I.V.  Joint Contracts for Police and Fire Protection and for Ambulance and Rescue Services. To enter into contracts with the proper authorities of near or adjacent cities, boroughs and towns- ships either for mutual aid or assistance in police and fire protection or in ambulance and rescue services, or for the furnishing to or receiving from such cities, boroughs or towns- ships aid and assistance in police and fire protection in or ambulance and rescue services, and to make appropriations therefor: Provided, That in connection with such contracts it shall not be necessary to receive bids or require bonds as required for other contracts under existing law.

***

Section 2.  Clause Seven of Section 1709 of the act, added May 10, 1974 (P.L. 295, No. 93), is amended to read:

Section 1709.  Tax Levies.—The board of township commissioners may levy taxes upon all property and upon all occupations within the township made taxable for township purposes, as ascertained by the valuation for county purposes made by the assessors of the several counties of this Commonwealth for the year for which the township taxes are levied, for the purposes and at the rate hereinafter specified: Provided, however, That such valuation shall be subject to correction by the county commissioners of the several counties, and to appeal by the taxable persons in accordance with existing laws.

***

Seven.  An annual tax not exceeding one-half mill for the purpose of supporting ambulance and rescue squads serving the township and for the purpose of contracting with adjacent municipalities or ambulance and rescue squads therein for ambulance and rescue services.

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

3

Amend Sec. 1, page 1, line 8, by inserting a comma after "act"

Amend Sec. 1, page 1, lines 8 through 10, by striking out "of June 24, 1931 in line 8 and all of lines 9 and 10

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

4

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

The SPEAKER.  On that question, the Chair recognizes the gentleman from Montgomery, Mr. Bunt.

Mr. BUNT.  Mr. Speaker, I basically have three amendments to HB's 31, 37, and 38; it is the same identical language amending the First Class Township Code, Second Class, and the Borough Code.

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—153

NAYS—48

Mr. BUNT offered the following amendments No. A0128:

Amend Title, page 1, line 4, by inserting after "for" ambulance and rescue services and for
Amend Bill, page 1, by inserting between lines 7 and 8

Section 1.  Section 1502 XXXIV. and L.I.V. of the act of June 24, 1931 (P.L. 1206, No. 331), known as The First Class Township Code, reenacted and amended May 27, 1949 (P.L. 1955, No. 569) and amended June 30, 1969 (P.L. 109, No. 41), are amended to read:

Section 1502.  The corporate power of a township of the first class shall be vested in the board of township commissioners. The board shall have power—

***

XXXIV.  Ambulances and Rescue and Life Saving Services. To make regulations within the township or within such limits, as may be deemed proper, relative to the provision of ambulance, rescue and life saving services. To ordain rules and regulations for the government of ambulance and rescue squads and their officers, including the assignment of territorial districts to be served by such squads. To acquire and to operate and maintain motor vehicles for the purposes of conveying sick and injured persons of such township and the vicinity to and from hospitals, and, for such purposes, to appropriate and expend moneys of the township or to appropriate money annually towards ambulance and rescue and life saving service, and to enter into contracts relating thereto. All appropriations of money heretofore made and contracts heretofore entered into by any township for such service are hereby validated and confirmed.

***

L.I.V.  Joint Contracts for Police and Fire Protection and for Ambulance and Rescue Services. To enter into contracts with the proper authorities of near or adjacent cities, boroughs and towns- ships either for mutual aid or assistance in police and fire protection or in ambulance and rescue services, or for the furnishing to or receiving from such cities, boroughs or towns- ships aid and assistance in police and fire protection or in ambulance and rescue services, and to make appropriations therefor: Provided, That in connection with such contracts it shall not be necessary to receive bids or require bonds as required for other contracts under existing law.

***

Section 2.  Clause Seven of Section 1709 of the act, added May 10, 1974 (P.L. 295, No. 93), is amended to read:

Section 1709.  Tax Levies.—The board of township commissioners may levy taxes upon all property and upon all occupations within the township made taxable for township purposes, as ascertained by the valuation for county purposes made by the assessors of the several counties of this Commonwealth for the year for which the township taxes are levied, for the purposes and at the rate hereinafter specified: Provided, however, That such valuation shall be subject to correction by the county commissioners of the several counties, and to appeal by the taxable persons in accordance with existing laws.

***

Seven.  An annual tax not exceeding one-half mill for the purpose of supporting ambulance and rescue squads serving the township and for the purpose of contracting with adjacent municipalities or ambulance and rescue squads therein for ambulance and rescue services.

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

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Amend Sec. 1, page 1, line 8, by inserting a comma after "act"

Amend Sec. 1, page 1, lines 8 through 10, by striking out "of June 24, 1931 in line 8 and all of lines 9 and 10

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

4

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

The SPEAKER.  On that question, the Chair recognizes the gentleman from Montgomery, Mr. Bunt.

Mr. BUNT.  Mr. Speaker, I basically have three amendments to HB's 31, 37, and 38; it is the same identical language amending the First Class Township Code, Second Class, and the Borough Code.

The SPEAKER.  The Chair thanks the gentleman.

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

The following roll call was recorded:
Mr. Speaker, currently when an architect or an engineer makes an estimate and provides that to a municipality for bidding, it is that figure that is used, if it is in excess of $25,000, to determine whether or not the prevailing wage scale would be applied. I would urge a “no” vote on this amendment. What this amendment would do is restrict the income that many people in the building trades get. I urge a “no” vote on this amendment.

The SPEAKER. The Chair thanks the gentleman from Philadelphia, Mr. Fattah, on the amendment.

Mr. FATTAH. Mr. Speaker, my interpretation is the same as the previous speaker’s, and I would just like to add my voice urging a “no” vote on the Saurman amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the Saurman amendment, the Chair recognizes the gentleman from Cumberland, Mr. Broujos.

Mr. BROUJOS. Mr. Speaker, would the gentleman, Mr. Saurman, agree to a period of interrogation?

The SPEAKER. The gentleman, Mr. Saurman, indicates he will stand for interrogation. You may proceed, Mr. Broujos.

Mr. BROUJOS. Mr. Speaker, in the provisions of the Pennsylvania Prevailing Wage Act that pertain to public contracts, is the language different? That is, is it correct that in the general act applying to all public contracts there is a provision that the estimate controls?

Mr. SAURMAN. Yes. Well, I am not sure of the difference, Mr. Speaker, but this matter was brought to my attention by an engineer who says that because of this, he fears that many estimates will be underestimated and therefore misleading because of the desire to not have this happen. The principle that is involved here is that if the contract is going to cost more than $25,000, then it should be under the prevailing wage. If in fact it is not, then the intention was that it should not be under the prevailing wage, and therefore, that is the reason for this amendment.

Mr. BROUJOS. Would it be correct then that if this is passed, there will be a difference between the application of the Prevailing Wage Act concept of a $25,000 cutoff in this act and in the Prevailing Wage Act itself?

Mr. SAURMAN. I would hope not. If in fact the Prevailing Wage Act is also written in such a fashion that a guess will control whether or not prevailing wages will be used, rather than the actual figures, then that ought to be brought into line with this concept, Mr. Speaker.
Mr. BROUJOS. Mr. Speaker, that ends my interrogation.

I would like to make a comment.

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

Mr. BROUJOS. Mr. Speaker, I think the approach of Mr. Saurman is sound. I support the concept. The concept is one that if it is a $25,000 contract, then make it $25,000 and use that as the cutoff. However, I believe that this concept involves contracts across the whole gamut of municipal government. It involves not only the prevailing wage within boroughs and townships but also public contracts in general involving authorities acts, and I would ask for a “no” vote, because this subject requires examination, hearings, and a detailed evaluation as to its uniformity throughout municipal contracts. I would ask for a “no” vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Preston, on the Saurman amendment.

Mr. PRESTON. Thank you, Mr. Speaker.

Will the gentleman, Mr. Saurman, consent to interrogation?

The SPEAKER. The gentleman indicates he will stand for further interrogation. You may proceed.

Mr. PRESTON. Thank you.

Mr. Speaker, can you tell me, for example, if there are two bids, two separate bids; say one is on one side of the township, the other one is on the other side of the township; one is given for $28,000, and the other one is given for $24,000, and they are exactly the same work. Are you saying that those people responsible will be paying different wages?

Mr. SAURMAN. In the first place, if the actual bid for $28,000 is the responsible bid because the $24,000 is not acceptable, then obviously it would pertain. But if someone bids a figure of $24,000 to do a job and that figure is less than the stipulation of what triggers the prevailing wage, then regardless of who bids what other figure, that still pertains and it ought to be the determination in terms of—and I would like to make this clear—what the taxpayer will pay to have the work done, not what someone will earn in terms of their wages to do it. We have a prevailing wage trigger because there is a predetermined point at which that ought to become operative, and it seems to me that we say that when we make it on the basis of a guess rather than the basis of what the actual bid is.

Mr. PRESTON. Mr. Speaker, perhaps I could give a simpler question. There are two separate projects that are right across the street from each other; the buildings are exactly the same. On one project the bid is awarded at $28,000; another project, which is done by another contractor, is awarded at $23,000. Are you saying that one contractor would have the privilege of being able to pay whatever he could pay his employees?

Mr. SAURMAN. Mr. Speaker, what determines what a person will bid is rather complex. If one in fact comes in at $28,000, it exceeds that limit and therefore would trigger the prevailing wage. If the other is $23,000 and less than that, then it would not, and whatever the difference is is determined by who makes up that bid or submits it on the basis of what their costs will be.

Mr. PRESTON. Thank you, Mr. Speaker.

May I speak on the amendment?

The SPEAKER. The gentleman is in order and may speak on the amendment.

Mr. PRESTON. I think what we have just seen is someone coming up with an arbitrary figure without any proper information to determine what the number should be, and also to see what conflicts we could have as far as prevailing wage scales. I would ask for a negative vote on the amendment.

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Broujos, for the second time on the Saurman amendment.

Mr. BROUJOS. Mr. Speaker, I am not aware as to whether this issue has been raised before in the debate, but I see a practical problem, and that is, if there are bids invited and the specifications estimate the amount to be below $25,000, the bids then would come in without the prevailing wage. If the successful bidder was $26,000, the bidders would then have to go out and pay the prevailing wage, which requires a calculation based on the number of employees, all of which would be different for each type of bidder. I see a very practical problem in the implementation of that proposal, which is a further reason for a “no” vote.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. McVERRY. Mr. Speaker, would the maker of the amendment stand for brief interrogation?

The SPEAKER. The gentleman, Mr. Saurman, agrees to again stand for interrogation. Mr. McVerry, you may proceed.

Mr. McVERRY. Mr. Speaker, it is your intention, I presume, or is it your intention, that if a bid comes in under $25,000, the prevailing wage need not be paid?

Mr. SAURMAN. That is correct.

Mr. McVERRY. But that if it comes in over $25,000, it should be paid, as is the current law.

Mr. SAURMAN. Yes, it would. Certainly.

Mr. McVERRY. Those bids are prepared upon specifications that are rendered by engineers and architects for a project, are they not?

Mr. SAURMAN. They are prepared on the basis of specifications, yes.

Mr. McVERRY. And in the preparation of a bid that is based upon specifications that exceed the cost of $25,000, would not a contractor submit his bid based upon paying the prevailing wage because the specifications are above the prevailing wage amount?

Mr. SAURMAN. I am really not sure in terms of that. I cannot answer that. I am not in the business of determining those contracts.
Mr. McVerry. Well, does it not seem reasonable that if the specifications for a job were $28,000 and you were going to bid on that job, and you knew that for all jobs over $28,000 you have to pay your workers prevailing wage, would you not base your bid upon workers earning a prevailing wage?

Mr. Saurman. Mr. Speaker, from a practical standpoint, and I would certainly wish to have someone who may have done the estimating correct me on this, but I do not believe that as far as the bid specifications that go out, that there are any dollar figures attached to that. If a job is being bid, it does not say that we anticipate that this will be over $25,000, but rather that we want this job done and these are the specifications - the walls have to be so high, so thick, and this has to be, and that has to be. Then the estimator takes each of these items and determines what his cost will be and then determines what he needs to make in terms of a profit and says, if I have this job, it will cost me X number of dollars.

Now, when the engineer is doing that, he has to determine what his guess is as to what that final cost will be. But the estimator, when he makes that, says this is what I will charge. Therein lies the difference between these two systems. One is a guess from an engineer; the others are the actual figures of the person who will do the work and who says I can do this job for this cost and I can make the profit. I can take care of the needs of the taxpayers at such and such a price.

Mr. McVerry. Mr. Speaker, who or what segment of society are you hoping to benefit by the adoption of this amendment?

Mr. Saurman. I am attempting to provide the lowest possible price to the taxpayers for the job that is required for their individual municipality, in this case.

Mr. McVerry. If a contractor based his bid upon estimates that were in excess of $25,000 and therefore used the prevailing wage rate in the determination of that bid, but his bid was below $25,000, by this amendment he would not be required to use the prevailing wage. Is that correct?

Mr. Saurman. That is correct; if he figured his wages above.

Mr. McVerry. But if he based his benefit upon utilization of the prevailing wage but now does not have to use it, who would get the benefit of the difference of the charge between the prevailing wage, upon which he based his bid, and that which he may otherwise be able to buy the labor services for?

Mr. Saurman. I would assume that first of all the taxpayers would benefit, and secondly, the contractor would benefit.

Mr. McVerry. How would the taxpayers benefit if there is not a provision in the amendment that would require the contractor to give that difference to the contracting body, the public agency requesting the bid?

Mr. Saurman. Because of the fact that the estimate would be less than what was originally estimated to be; the actual bid would be less.

Mr. McVerry. But, Mr. Speaker, the bid has been prepared based upon utilization of the prevailing wage rate, and now the person, because it is under $25,000, is not required to use the prevailing wage rate.

Mr. Saurman. No; I would question that that is true, Mr. Speaker, for this reason: If I were working and estimating a job and figuring out what the labor cost would be, knowing that the $25,000 indeed is the triggering figure, I do not know what the estimated figure was on that. And so if my total cost is below $25,000, I would not anticipate that I would have to pay. To the contrary, it might mean that if in fact I then would be penalized by having to because the estimate had been larger, that would even reduce the profit that I might be looking for in the job, because of having to pay higher wages than I had anticipated.

Mr. McVerry. Thank you, Mr. Speaker.

May I comment on the amendment?

The Speaker. The gentleman, Mr. McVerry.

Mr. McVerry. Thank you, Mr. Speaker.

Although I agree with the intention and the desire of the maker of the amendment to benefit governmental agencies that contract for services less than $25,000, I believe that the amendment falls wide of the mark for the very reason that I attempted to show in questioning representative Saurman, that if the contractor based his bid on estimates that were in excess of $25,000, he would have to base that bid on prevailing wage. If his bid came in at less than $25,000, he would not, by virtue of this amendment, have to pay the prevailing wage. But there is no assurance in this amendment that the difference between the prevailing wage and the nonprevailing wage would benefit the taxpayer. For all intents and purposes, it would go into the pocket of the contractor.

Moreover, I agree with Representative Broujos that this piecemeal approach to dealing with the prevailing wage problem in contracts under $25,000 would more appropriately be directed to the prevailing wage law, as compared to the various codes that govern our townships and boroughs and cities, et cetera.

The Speaker. The Chair thanks the gentleman.

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

Mr. Kennedy. Thank you, Mr. Speaker.

I believe that Representative Saurman’s intentions were well placed, but as a contractor, I would agree with Representative McVerry. I think the guy in town who would win on this one would be the contractor. There is absolutely no way government can write its specifications with two sides written. When we as contractors receive a request for a quotation from a municipality, it specifically states that we are guided by and we fall under the regulations of the fixed pay scales that the government sets, and they could never send out one request for a quote with two terms in terms of how much the wages are to be paid. So I think that it would be cumbersome to implement, and I think it would be only in the best interests of the contractor at this point. For those reasons, I could not support the amendment. Thank you.
The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

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**NOT VOTING—3**

| Petrarca | Pitts | Smith, I. E. |          |

**EXCUSED—1**

| Williams |          |          |          |

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

On the question recurring,

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

**YEAS—188**

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**NOT VOTING—4**

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**EXCUSED—1**

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

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

* * *

The House proceeded to third consideration of HB 38, PN 42, entitled:


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

Mr. BUNT offered the following amendments No. A0129:

Amend Title, page 1, line 4, by inserting after “for” ambulance and rescue services and for

Amend Bill, page 1, by inserting between lines 6 and 7 Section 1. Section 1202(35) and (66) of the act of February 1, 1966 (1965 P.L.1656, No. 581), known as The Borough Code, amended June 30, 1969 (P.L.111, No.43), are amended to read:

Section 1202. Specific Powers.—The powers of the borough shall be vested in the corporate authorities. Among the specific powers of the borough shall be the following; and in the exercise of any of such powers involving the enactment of any ordinance or the making of any regulation, restriction or prohibition, the borough may provide for the enforcement thereof and may prescribe penalties for the violation thereof or for the failure to conform thereto:

* * *

(35) Joint contracts for police and fire protection and for ambulance and rescue services. To enter into contracts with the proper authorities of near or adjacent cities, boroughs, or townships, either for mutual aid or assistance in police and fire protection or in ambulance and rescue services, or for the furnishing to or by such cities, boroughs, or townships, aid and assistance in police and fire protection or in ambulance and rescue services, and to make appropriations therefor: Provided, That in connection with such contracts, it shall not be necessary to advertise for bids or receive bonds as required for other contracts under existing law. When any such contract has been entered into the police, firemen or fire police of the employing city, borough or township shall have all the powers and authority conferred by law on city, borough or township police, firemen, or fire police in the territory of the city, borough or township which has contracted to secure such service.

* * *

(66) [Community ambulance service.] Ambulances and rescue and life saving services. To make regulations within the borough or within such limits, as may be deemed proper, relative to the provision of ambulance, rescue and life saving services. To ordain rules and regulations for the government of ambulance and rescue squads and their officers, including the assignment of territorial districts to be served by such squads. To appropriate money annually towards ambulance and rescue and life saving service and to enter into contracts relating thereto. All appropriations of money heretofore made and contracts heretofore entered into by any borough for ambulances of such service are hereby validated and confirmed.

* * *

Section 2. Section 1302(9) of the act, added May 10, 1974 (P.L.293, No.91), is amended to read:

Section 1302. Tax Levy.—The council of the borough shall have power, by ordinance, to levy and collect annually, a tax, not exceeding thirty mills for general borough purposes, unless the council by majority action shall, upon due cause shown by resolution, petition the court of common pleas, in which case the court may order a rate of not more than five mills additional to be levied and in addition thereto any of the following taxes:

* * *

(9) For the purpose of supporting ambulance and rescue squads serving the borough and for the purpose of contracting with adjacent municipalities or ambulance and rescue squads therein for ambulance and rescue services, not to exceed one-half mill.

* * *

Amend Sec. 1, page 1, line 7, by striking out “1” and inserting

3

Amend Sec. 1, page 1, lines 7 and 8, by striking out “of February 1, 1966 (1965 P.L.1656, No.581), known as The Borough Code”

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

4

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Montgomery, Mr. Bunt.

Mr. BUNT. Mr. Speaker, this amendment is identical to the two previous amendments to HB’s 32 and 37.

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Wozniak.

Mr. WOZNIAK. Mr. Speaker, may I interrogate the creator of this amendment?

The SPEAKER. Mr. Bunt indicates he will stand for interrogation. Mr. Wozniak, you may proceed.

Mr. WOZNIAK. Mr. Speaker, there is still a little bit of confusion about this amendment, both on the first two bills that it was passed and on this third one. I think that everybody in this House has a very powerful respect for the local governments and their right to govern their own political boundaries, but I think at the same time everybody in this House has that same powerful respect for the volunteers in communities who offer their time and their services for no pay. My question is, if we pass this amendment— Let me create a scenario of a volunteer ambulance service which has two ambulances and is very understaffed, but they have enough to make runs, and for some reason the municipality does not want them within their political subdivision, or possibly the volunteer fire club or some other entity does not want them in there. Would this amendment give the municipality the opportunity to regulate them out of existence by forcing them to add an additional individual on all the runs, to have a navigator along with the driver along with an extra EMT, to totally force them to overstaff it so that they cannot get enough volunteers to do the job that they want to do?

Mr. BUNT. No, Mr. Speaker. I am glad you asked that question. That particular question was directed and was responded to by Mr. Broujos. It is a different statute and would have no relevancy to the amendment, and in cases that the court has heard, the only intrusion that the courts would enter into was the area of service and not the type of service;
only the geographical areas of the municipality to be served, strictly.

Mr. WOZNIAK. Okay. Thank you, Mr. Speaker.

All I really have to say then is I want it marked on the record that this amendment, the intent of this amendment, has nothing to do with regulating the ambulance services and other volunteers in the way that we just mentioned, and I will let everybody else vote their conscience on this. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the Bunt amendment, the Chair recognizes the gentleman from Clearfield, Mr. George.

Mr. GEORGE. Mr. Speaker, may I interrogate the gentleman, Mr. Bunt?

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

Mr. GEORGE. Mr. Speaker, are you insisting that your amendment in no way allows the municipalities to come forward with certain regulations on their own initiative and therefore would delegate certain regulations to fire companies and ambulance companies?

Mr. BUNT. This amendment does not specify any regulations which would be applicable. It extends the same language that already is in force as it relates to the Fire Code. It extends the same language to ambulance and rescue squads that presently exists as it relates to fire companies.

Mr. GEORGE. Again, it gives the municipalities the right or the authority to come up with rules and regulations should they choose. Is that not true? Mr. Speaker, is that not true?

Mr. BUNT. With regard to the services and the areas of the municipality to be served, that is true.

Mr. GEORGE. Mr. Speaker, I have concluded my interrogation.

May I make a statement, please?

The SPEAKER. The gentleman is in order to make a statement and may proceed.

Mr. GEORGE. Mr. Speaker, while this amendment may have good intentions, and quite possibly the reason for the submission of this amendment is that the gentleman probably had, in some cases, individuals from within municipalities who might have brought certain instances before him, and therefore he feels that this might be the right solution. I just want to make you aware of certain situations that exist in rural areas, certain situations where more than one company might be providing a service to a given municipality - both volunteer fire associations and ambulance companies. There is much contention; it relates to compensation and whose parvenue and whose right it is to delegate authority.

As you and I who represent the rural areas know, many times there is extensive conflict between municipalities and those people who are serving areas on a volunteer basis. Even though those matters continue to exist, there are volunteer companies who do a fine job and provide a service to our people with no taxation burden to those whom they serve.

I think it is wrong, and that is why I voted against this amendment on the other two bills, and I would in good con-

science suggest to you that maybe you should look at this vote before you agree with this amendment. It might be doing something that those people back home whom you continue to want to help might say to you, you put the cuffs on us; you have taken a step that will basically take it away from us, our right to serve in the proficient manner in which we have been serving. I think we ought to deny the acceptance of this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Cambria, Mr. Stewart, on the Bunt amendment.

Mr. STEWART. Thank you, Mr. Speaker.

I do not want to belabor the point, but I think it is critical for the members to know that - just read the language - it gives the boroughs the power to ordain rules and regulations for the government of ambulance and rescue squads and their officers. Now, to me it is plain as the sentence reads. It gives them the power to promulgate rules and regulations, among which may be extra personnel requirements, equipment requirements, staying within the limits of the municipality requirements, serving underprivileged requirements, serving certain segments of the community requirements, a whole myriad of things that I do not think we want to be doing.

I would urge my colleagues to vote against the amendment, and if we are successful in defeating this one, we will reconsider the other two that we voted for without having the benefit of some of this other knowledge. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

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The question is, shall the bill pass finally?

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

YEAS—194

BILLS ON THIRD
CONSIDERATION CONTINUED

The House proceeded to third consideration of HB 40, PN 44, entitled:

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), known as “The Second Class Township Code,” authorizing a voter referendum to reduce the board of supervisors from five to three members.

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.
The House proceeded to third consideration of HB 41, PN 45, entitled:


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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?
The Chair recognizes the gentleman from Allegheny, Mr. OLasz. For what purpose does the gentleman rise?
Mr. OLasz. Mr. Speaker, I rise to speak against HB 41.
The SPEAKER. The gentleman is in order and may proceed.
Mr. OLasz. Mr. Speaker, I hope I can have the attention of my colleagues for a few minutes on a very important piece of legislation.
I will qualify my remarks by saying that I am for a voluntary type of crime watch program. Most of us here in this House have made financial contributions as well as presented those booklets that are available to us to those communities.
Let us come down to this line where it says that HB 41 would permit borough councils to appropriate an unlimited amount of money annually toward a neighborhood crime watch program.
I was a councilman in a borough of approximately 30,000 people for 8 years. You will care when you hear what I have to say about it. I have seen countless groups come before councils and request money. We have a very difficult time in many communities because of the economic situation. Many policemen have been laid off. I wonder how many groups are going to be formed when they find out money is now available to them.

The Chair recognizes the gentleman from Luzerne, Mr. Jarolin.
Mr. Jarolin. Mr. Speaker, up in my particular area there have been tremendous amounts of money donated to various crime watch organizations without community participation from the local officials. I found out that by doing this they are enhancing their police force for a nominal amount of money. It is not a mandatory contribution; it is a voluntary contribution from the council that would have to be voted upon each year.
I request an affirmative vote on this bill. Thank you, Mr. Speaker.
The SPEAKER. The Chair thanks the gentleman.
The Chair recognizes the gentleman from Berks, Mr. Fryer.
Mr. FRYER. Mr. Speaker, I agree with the remarks made by the prime sponsor of this bill.

We have throughout this State, as throughout this Nation, an increasing crime rate, and our citizens are at their wit's ends to produce the answers. One of the answers that has developed in our various neighborhoods is to have crime watches, which are conducted by the inhabitants of that area. They spend countless hours, which have resulted in a decreased crime rate. They have needs of, in some cases, walkie-talkies. I know in our area they have expended their own funds. Now, all this really does, Mr. Speaker, is permit that borough council the authority, merely the authority, to grant an appropriation to such a crime watch if they regard it in the best interest of the borough.

Now, it can be stated that there is no protection there, that whoever comes in gets money. Could not the same thing be said of this General Assembly? However, we rely upon that elected official, who is responsible. And to repeat: check with your folks back home; you will find that many have crime watches, that they are doing a great job, and the end result is we should provide funds if they seek them. Once again, that is the responsibility of the individual councilman. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MARKOSEK. Thank you, Mr. Speaker.

I rise in favor of this particular bill.

We have a very extensive crime watch situation in our area that I represent. It has been very successful. We have a number of Allegheny County municipalities that have banded together and formed a countywide crime watch group, and we have seen some very interesting statistics come from that, very positive statistics come from that.

I am a firm believer in this particular program, and I would urge passage of this bill. Thank you very much.

The SPEAKER. The Chair thanks the gentleman from Washington, Mr. Daley.

Mr. DALEY. Thank you, Mr. Speaker.

As the former mayor of a borough and in charge of the police department, I rise sort of reticently in opposition to this legislation.

I must echo the sentiments of Representative Olasz. I think neighborhood crime watch programs are good and are beneficial to the community. But there are some precautions that we have to take. I think those precautions can be predicated upon budgetary concerns of the municipalities. I know all this does is authorize the borough fathers and members of the borough council to make those determinations necessary that would enable them to provide allocations for crime watch programs. However, in collective-bargaining processes with the local police departments, this could be a leveraging tool; it also can be used to bring undue public pressure on the police department.

I think there are a number of considerations that are not being taken into consideration here. I think crime watch pro-

grams are perfectly legitimate and helpful, but sometimes they can turn into vigilante programs. I think you have police departments that are the first concern of the borough fathers, and that should be the first consideration, and that is why I am opposed to this legislation, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. DeLuca. Mr. Speaker, I rise in support of this legislation. Coming from a home rule municipality which has a successful crime watch program, our crime has decreased over 30-some percent. Nationally the crime watch programs have been successful throughout the country. What we are doing is establishing a "may" program to give the option to the elected officials to appropriate money for crime watch programs. There is nothing wrong; there is no way that we can hire our police officers to patrol neighborhoods at the cost of law enforcement today. This is one way of getting the citizens involved to watch and protect their own neighborhoods. I rise in support, and I ask my colleagues to support this legislation. 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.
Cowie, Josephs, Pressmann, Wagon
Cowell, Kasunic, Pressott, Wozniak
Coy, Kennedy, Punt, Wright, D. R.
DeLuca, Kosinski, Raymond, Wright, J. L.
DeVerter, Kosinski, Reber, Wright, R. C.
Davis, Kulovich, Reidar, Yandrisivits
Dawida, Langtry, Richmond, Riegler
Deal, Laubinger, Robbins, Iris
Dietz, Laughlin, Robbins, Speaker

NAYS—10
Birmelin, Duley, Hutchinson, Livergood
Clark, Duffy, Letterman, Olasz
DeWeese, Gocshall

NOT VOTING—2
Fattah, Levin

EXCUSED—1
Williams

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

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

* * *

The House proceeded to third consideration of HB 42, PN 46, entitled:

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), known as "The Second Class Township Code," authorizing appropriations for neighborhood crime watch programs.

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

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

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

YEAS—194

Afterbach, Distler, Laughlin, Riegler
Angstadt, Donbrowski, Leszczynski, Robbins
Argall, Donatucci, Ledwinsky, Rudy
Arty, Dorr, Linton, Ryan
Baldwin, Duffy, Livengood, Rybak
Barber, Donald, Lloyd, Saloom
Barley, Evans, Lucyk, Saarman
Battisto, Fargo, McCaffrey, Scherr
Belardi, Fatiah, McClatchy, Schuler
Belfanti, Fee, McHale, Semmel
Black, Fischer, McVerry, Serafini
Blaum, Flick, Mackowski, Seveny
Book, Foster, Jr., Masale, Showers
Bortner, Fox, Mandernick, Siriani
Bowley, Freeman, Mannion, Smith, B.
Bowser, Freind, Markovich, Smith, L. E.
Boyes, Fryer, Mayernik, Snyder, D. W.
Brandl, Gallagher, McVey, Snyder, G. M.
Brojeski, Galica, Michalowsky, Staback
Bunt, Gamble, Milor, Steele
Burd, Gammon, Miller, Stevens
Burns, Geist, Mochmann, Stewart
Bush, George, Morris, Staben
Caltagirone, Gladieux, Mowrey, Sweet
Capobianco, Greenwood, Mikonic, Swift

Carlson, Gruziza, Murphy, Taylor, E. Z.
Carn, Gruppo, Nahill, Taylor, F. E.
Cawley, Hagarty, Noye, Taylor, J. J.
Cessar, Haluska, O'Brien, Tek
Chadwick, Harper, O'Donnell, Tighe
Cimino, Hays, Olesz, Tielo
Costa, Hayes, Oliver, Tranman
Clymer, Herman, Persel, Van Horne
Cohen, Hershey, Petracca, Veon
Colaluca, Honaman, Petron, Vroom
Cole, Howlett, Phillips, Wambach
Coricic, Hutchinson, Piccola, Wass
Cornell, Ikin, Pevsky, Weston
Cutter, Jackson, Petoskey, Wiggins
Cowell, Jarolin, Pitts, Wilson
Cox, Johnson, Pot, Wogan
Deluca, Josephs, Pratt, Wozniak
DeVerter, Kasunic, Pressman, Wright, D. R.
DeWeese, Kennedy, Preston, Wright, J. L.
Diley, Kenne, Punt, Wright, R. C.
Davis, Kosinski, Raymond, Yandrisivits
Deal, Kulovich, Reber
Dietz, Langtry, Reidar, Iris,
Dinni, Lastinger, Richardson, Speaker

NAYS—5
Birmelin, Dawida, Godshall, Letterman
Clark

NOT VOTING—3
Acosta, Levin

EXCUSED—1
Williams

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

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

HB 37 RECONSIDERED

The SPEAKER. The Chair has filed a reconsideration motion signed by the gentleman from Cambria, Mr. Stewart, and the gentleman from Clearfield, Mr. George, whereby they move that the vote by which HB 37, PN 41, was passed on the 12th day of February be reconsidered.

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

The following roll call was recorded:

YEAS—199

Acosta, Dietz, Lastinger, Rehrand
Afterbach, Danani, Laughlin, Richardson
Angstadt, Distler, Leszczynski, Robbins
Argall, Donatucci, Ledwinsky, Rudy
Arty, Dorr, Linton, Ryan
Baldwin, Duffy, Livengood, Rybak
Barber, Donald, Lloyd, Saloom
Barley, Evans, Lucyk, Saarman
Battisto, Fargo, McCaffrey, Scherr
Belardi, Fatiah, McClatchy, Schuler
Belfanti, Fee, McHale, Semmel
Black, Fischer, McVerry, Serafini
Blaum, Flick, Mackowski, Seveny
Book, Foster, Jr., Masale, Showers
Bortner, Fox, Mandernick, Siriani
Bowley, Freeman, Mannion, Smith, B.
Bowser, Freind, Markovich, Smith, L. E.
Boyes, Fryer, Mayernik, Snyder, D. W.
Brandl, Gallagher, McVey, Snyder, G. M.
Brojeski, Galica, Michalowsky, Staback
Bunt, Gamble, Milor, Steele
Burd, Gammon, Miller, Stevens
Burns, Geist, Mochmann, Stewart
Bush, George, Morris, Staben
Caltagirone, Gladieux, Mowrey, Sweet
Capobianco, Greenwood, Mikonic, Swift

Black, Fischer, McHale, Scherr
Blau, Flick, McVerry, Seveny
Book, Foster, Jr., Masale, Showers
Bortner, Fox, Masale, Smith, B.
Bowley, Freeman, Mandernick, Smith, E. L.
HB 37 was passed on the 12th day of February.

On the question, Shall the bill pass finally?

The SPEAKER. Without objection, the Chair rescinds its decision.

The question was determined in the affirmative, and the bill was passed finally.

The following roll call was recorded:

**YEAS—195**

- Afflerbach
- Angrisani
- Argall
- Arty
- Baldwin
- Barber
- Barley
- Batista
- Bellard
- Beltran
- Black
- Blaum
- Bock
- Bortner
- Bowley
- Bowser
- Boyes
- Brandt
- Broujos
- Bunt
- Burd
- Burns
- Bush
- Calagione
- Cappabianca
- Carlson
- Carn
- Cawley
- Cesar
- Chadwick
- Clemm
- Civera
- Clark
- Clymer
- Cohen
- Cola\`ella
- Cole
- Cordisco
- Cornell
- Costlett
- Cowell
- Deluca
- DeVetter
- DeWeese
- Daley
- Davies
- Dawidin
- Deal

**NAYS—0**

- NOT VOTING—3

- Hutchison
- Siranni
- Wiggins

- EXCUSED—1

- Williams

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

On the question recurring, Shall the bill pass finally?

**DECISION OF CHAIR RESCINDED**

The SPEAKER. Without objection, the Chair rescinds its announcement that the House has agreed to the bill on third consideration as amended. The Chair hears no objection.

**AMENDMENT A0128 RECONSIDERED**

The SPEAKER. The Chair has before it a reconsideration of the vote by which the Bunt amendment A0128 to HB 37 was passed on the 12th day of February.

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

The following roll call was recorded:

**YEAS—195**

- Afflerbach
- Angrisani
- Argall
- Arty
- Baldwin
- Barber
- Barley
- Batista
- Bellard
- Beltran
- Black
- Blaum
- Bock
- Bortner
- Bowley
- Bowser
- Boyes
- Brandt
- Broujos
- Bunt
- Burd
- Burns
- Bush
- Calagione
- Cappabianca
- Carlson
- Carn
- Cawley
- Cesar
- Chadwick
- Clemm
- Civera
- Clark
- Clymer
- Cohen
- Cola\`ella
- Cole
- Cordisco
- Cornell
- Costlett
- Cowell
- Deluca
- DeVetter
- DeWeese
- Daley
- Davies
- Dawidin
- Deal

**NAYS—1**

- NOT VOTING—6

- Acosta
- Deluca
- Cordisco

- EXCUSED—1

- Williams

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

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

The clerk read the following amendments No. A0128:

- Amend Title, page 1, line 4, by inserting after “for” ambulance and rescue services and for.
- Amend Bill, page 1, by inserting between lines 7 and 8 Seventy-five.

Section 1. Section 1500 XXXIV, and L.I.V. of the act of June 24, 1931 (P.L. 1206, No. 331), known as The First Class Township Code, reenacted and amended May 27, 1949 (P.L. 1955, No. 569) and amended June 30, 1969 (P.L. 109, No. 41), are amended to read:

Section 1502. The corporate power of a township of the first class shall be vested in the board of township commissioners. The board shall have power—
XXXIV. Ambulances and Rescue and Life Saving Services. To make regulations within the township or within such limits, as may be deemed proper, relative to the provision of ambulance, rescue and life saving services. To ordain rules and regulations for the government of ambulance and rescue squads and their officers, including the assignment of territorial districts to be served by such squads. To acquire and to operate and maintain motor vehicles for the purposes of conveying sick and injured persons of such township and the vicinity to and from hospitals, and, for such purposes, to appropriate and expend moneys of the township or to appropriate money annually towards ambulance and rescue and life saving service, and to enter into contracts relating thereto. All appropriations of money herefore made and contracts herefore entered into by any township for such service are hereby validated and confirmed.

***

LIV. Joint Contracts for Police and Fire Protection and for Ambulance and Rescue Services. To enter into contracts with the proper authorities of near or adjacent cities, boroughs and townships either for mutual aid or assistance in police and fire protection or in ambulance and rescue services, or for the furnishing to or receiving from such cities, boroughs or townships aid and assistance in police and fire protection or in ambulance and rescue services, and to make appropriations therefor: Provided, That in connection with such contracts it shall not be necessary to receive bids or require bonds as required for other contracts under existing law.

***

Section 2. Clause Seven of Section 1709 of the act, added May 10, 1974 (P.L.295, No.931), is amended to read:

Sec. 1709. Tax Levies.-The board of township commissioners may levy taxes upon all property and upon all occupations within the township made taxable for township purposes, as ascertained by the valuation for county purposes made by the assessors of the several counties of this Commonwealth for the year for which the township taxes are levied, for the purposes and at the rate hereinafter specified: Provided, however, That such valuation shall be subject to correction by the county commissioners of the several counties, and to appeal by the taxable persons in accordance with existing laws.

***

Seven. An annual tax not exceeding one-half mill for the purpose of supporting ambulance and rescue squads serving the township and for the purpose of contracting with adjacent municipalities or ambulance and rescue squads therein for ambulance and rescue services.

Amend Sec. 1, page 1, line 8, by striking out "1" and inserting 3
Amend Sec. 1, page 1, line 8, by inserting a comma after "act"
Amend Sec. 1, page 1, lines 8 through 10, by striking out "of June 24, 1931 in line 8 and all of lines 9 and 10
Amend Sec. 2, page 2, line 20, by striking out "2" and inserting 4

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

AMENDMENTS WITHDRAWN

The SPEAKER. The Chair thanks the gentleman.
On the question recurring,
Will the House agree to the bill on third consideration?
Bill was agreed to.

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.
The question is, shall the bill pass finally?
Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS—200

Acosta
Amend
Angstadt
Argall
Barber
Barley
Battista
Belardi
Belfonte
Birmelin
Black
Blauw
Book
Bortner
Bowley
Bowser
Boyes
Brandt
Broujos
Byrnes
Byrne
Caldaglione
Cappabianca
Carlson
Carne
Cawley
Cesar
Chadwick
Chini
Civera
Clark
Burd
Burns
Bush
Carn
Capobianco
Carlson
Gruitz
Carn
Cawley
Cesar
Chadwick
Chini
Civera
Clark
Clymer
Cohen
Cofella
Cole
Connell
Coslett
Cowell
Coy
Deluca
DeVerter
DeWeese
Daley
Davies
Dawida
Deitz
Acosta
Afferbach
Angstadt
Argall
Barber
Barley
Battista
Belardi
Belfonte
Birmelin
Black
Blauw
Book
Bortner
Bowley
Bowser
Boyes
Brandt
Broujos
Byrnes
Byrne
Caldaglione
Cappabianca
Carlson
Gruitz
Carn
Cawley
Cesar
Chadwick
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Civera
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Clymer
Cohen
Cofella
Cole
Connell
Coslett
Cowell
Coy
Deluca
DeVerter
DeWeese
Daley
Davies
Dawida
Deitz

NOT VOTING—2

Cordisco

NAYS—0

Petracca

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

Mr. BUNT. Mr. Speaker, I am in favor of withdrawing the amendment for redrafting, so that we can address those concerns shown by some of the members.
HB 31 RECONSIDERED

The SPEAKER. The Chair has before it a motion filed by the gentleman from Cambria, Mr. Stewart, and the gentleman from Clearfield, Mr. George, whereby they move that the Bunt amendment A0123 to HB 31, which was passed on the 12th day of February, be reconsidered.

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

The following roll call was recorded:

YEAS—199

Acosta
Afflerbach
Angstadt
Argall
Arty
Baldwin
Barber
Barley
Battisto
Belardi
Bellanti
Birmelin
Black
Blau
Book
Borriner
Bowley
Bowser
Boyer
Brojos
Bunt
Burd
Burns
Bush
Caliagirone
Cappabianca
Carlson
Carn
Cawley
Cesar
Chadwick
Cimini
Civera
Clark
Clint
Cohen
Colafella
Cole
Cordisco
Cornell
Coletti
Cowell
Coy
DeLuca
DeVeater
DeWeese
Daley
Davies

NAYS—0

NOT VOTING—3

Brandy
Honaman
Richardson

EXCUSED—1

Acosta
Afflerbach
Angstadt
Argall
Arty
Baldwin
Barber
Barley
Battisto
Belardi
Bellanti
Birmelin
Black
Blau
Book
Borriner
Bowley
Bowser
Boyer
Brojos
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Burns
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Caliagirone
Cappabianca
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Cawley
Cesar
Chadwick
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Colafella
Cole
Cordisco
Cornell
Coletti
Cowell
Coy
DeLuca
DeVeater
DeWeese
Daley
Davies

YEAS—201

Acosta
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Barley
Battisto
Belardi
Bellanti
Birmelin
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DeLuca
DeVeater
DeWeese
Daley
Davies

NAYS—0

NOT VOTING—3

Brandy
Honaman
Richardson

EXCUSED—1

Acosta
Afflerbach
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Baldwin
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Barley
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Belardi
Bellanti
Birmelin
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DeLuca
DeVeater
DeWeese
Daley
Davies

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its announcement that this bill has been agreed to on third consideration as amended. The Chair hears no objection.

AMENDMENT A0123 RECONSIDERED

The SPEAKER. The Chair has before it a reconsideration motion filed by the gentleman from Franklin, Mr. Coy, and the gentleman from Cambria, Mr. Stewart, whereby they move that the Bunt amendment A0123 to HB 31, which was passed on the 12th day of February, be reconsidered.

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

The following roll call was recorded:

YEAS—201

Acosta
Afflerbach
Angstadt
Argall
Arty
Baldwin
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Battisto
Belardi
Bellanti
Birmelin
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Book
Borriner
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Caliagirone
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Cawley
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Cohen
Colafella
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Cordisco
Cornell
Coletti
Cowell
Coy
DeLuca
DeVeater
DeWeese
Daley
Davies

NAYS—0

NOT VOTING—3

Brandy
Honaman
Richardson

EXCUSED—1

Acosta
Afflerbach
Angstadt
Argall
Arty
Baldwin
Barber
Barley
Battisto
Belardi
Bellanti
Birmelin
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Cohen
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Cordisco
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Cowell
Coy
DeLuca
DeVeater
DeWeese
Daley
Davies

DECISION OF CHAIR RESCINDED

The SPEAKER. Without objection, the Chair rescinds its announcement that this bill has been agreed to on third consideration as amended. The Chair hears no objection.

AMENDMENT A0123 RECONSIDERED

The SPEAKER. The Chair has before it a reconsideration motion filed by the gentleman from Franklin, Mr. Coy, and the gentleman from Cambria, Mr. Stewart, whereby they move that the Bunt amendment A0123 to HB 31, which was passed on the 12th day of February, be reconsidered.

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

The following roll call was recorded:

YEAS—201

Acosta
Afflerbach
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Arty
Baldwin
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Battisto
Belardi
Bellanti
Birmelin
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Blau
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Cohen
Colafella
Cole
Cordisco
Cornell
Coletti
Cowell
Coy
DeLuca
DeVeater
DeWeese
Daley
Davies

NAYS—0

NOT VOTING—3

Brandy
Honaman
Richardson

EXCUSED—1
On the question recurring,
Will the House agree to the amendments?

The Chair recognizes the gentleman, Mr. Bun, who announces to the floor that he has withdrawn his amendment.

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

Bill was agreed to.

The SPEAKER. The Chair recognizes the gentleman, Mr. Bun, who announces to the floor that he has withdrawn his amendment.

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

Bill was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—202

Aresta       Dietz       Lashinger       Richardson
Afflerbach   Dininni     Laughlin       Rieger
Angstadt     Distler     Lenovitz       Robbins
Argall       Dombrowski  Letterman     Rudy

NAYS—0

NOT VOTING—1

Levin

EXCUSED—1

Williams

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

On the question recurring,

On the question recurring,

On the question recurring,

On the question recurring,

On the question recurring,
The SPEAKER. The gentleman's remarks will be spread upon the record.

BILLS ON THIRD
CONSIDERATION CONTINUED

The House proceeded to third consideration of HB 1, PN 5, entitled:

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction, reconstruction, improvement, operation and maintenance of toll roads in Pennsylvania; and authorizing the Secretary of Transportation and the commission with the United States Department of Transportation, the Federal Highway Administration or any other Federal agency with respect to obtaining Federal funds for resurfacing, restoring, rehabilitating or reconstructing toll roads in Pennsylvania.

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

Mr. BOWSER offered the following amendment No. A0127:

Amend Sec. 3, page 9, line 27, by removing the period after "roads" and inserting:

: Provided, however, That this provision shall not apply to Interstate Route 90.

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

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

This is a bill that the Chair would suggest many of you will be vitally interested in.

Mr. BOWSER. Thank you, Mr. Speaker.

What my amendment would do would be to exclude Interstate 90 in Erie County—and it is only in Erie County in Pennsylvania—from ever being tolled, the reason for this being we feel in Erie County that we are kind of unique as far as a suburban area. We have only one east and west limited-access highway, and that is Interstate 90. Everything else that we have going across Erie County, going through the city of Erie, going through the small towns outside in the county are not limited access; you can turn off at any street corner, any road.

Twenty-five years ago when Interstate 90 was built, it eliminated an awful congested problem that we had in Erie County. We had lines, particularly in the summer, for 2 and 3 miles long. That traffic has come back somewhat on Traffic Routes 5 and 20. My fear and our fear in Erie County is that if we toll that road, we are going to bring down 25 to 50 percent of the traffic currently using Interstate 90 and be back to where we were 25 years ago.

So I would hope the people in the Assembly here could give us a hand with this and let us eliminate it. It is only 50 miles of road up there. Someday if we get alternatives that could be used for the purpose for which we are using Interstate 90, I would be agreeable at that time. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.
The Chair recognizes the gentleman from Lawrence, Mr. Pratt, on the Bowser amendment.

Mr. PRATT. Thank you, Mr. Speaker.

I sympathize with the gentleman, but I must oppose his amendment.

Mr. Speaker, if the members would quickly glance at the provision dealing with the general conversion of interstates to toll roads, they will notice that the provision is general in nature. It does not specify any particular interstate which may be converted to a toll road. The provision dealing with the general provision of converting interstates to toll roads was inserted to satisfy members of the Senate, and also, Mr. Speaker, to satisfy the administration.

Mr. Speaker, there are safeguards built into the provision. Before the Turnpike Commission can convert any interstate to a toll road, several things must take place. Number one, this General Assembly must enact a separate statute approving the conversion of that particular interstate to a toll road. Secondly, there must be an enactment by the Congress of the United States allowing for the general conversion of interstates to toll roads since those interstates were built with 90 percent Federal funding. Lastly, Mr. Speaker, there must be built-in safeguards in the system, Mr. Speaker, that Mr. Bowser does not have to. I think, trouble himself that Interstate 90 is going to be converted into a toll road in the very near future.

Lastly, Mr. Speaker, may I add that if we exempt Interstate 90 from this provision, what other interstates do we exempt? Do we exempt Interstate 80? And I notice there are a number of amendments coming up, Mr. Speaker, which may do that. Do we exempt Interstate 70? Do we exempt Interstate 79? Where does it end, resulting in, Mr. Speaker, that we may as well take that complete and entire provision out of HB 1. If that occurs, Mr. Speaker, the Senate is going to say, well, that makes the entire piece of legislation financially unfeasible, and therefore it will not work.

I ask, Mr. Speaker, that the members consider these remarks and vote in the negative against Mr. Bowser’s amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I rise to support the gentleman, Mr. Pratt, in his asking for a negative vote.

One of the interstates that has been talked about as a possibility for a toll road is Interstate 70, which runs through the heart of my district. I oppose, like Mr. Bowser opposes, the conversion of that toll road, as it is in my district and it will affect my people, and it is a much shorter piece of road than you are talking about, just as Mr. Bowser does. But the Governor has insisted and the administration and the Toll Road Study Committee has insisted that without the preliminary approval of conversion, there will be no building of the missing links under the toll road system. There are the safeguards that Mr. Pratt indicated, that there will have to be an approval of the General Assembly at some future date on the conversion of any interstate or any presently free road to a toll road.

Mr. Speaker, if this bill has any chance of success, we are going to have to leave the provisions intact, and I would ask for a negative vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Erie, Mr. Dombrowski, on the amendment.

Mr. DOMBROWSKI. Thank you, Mr. Speaker.

Mr. Speaker, I think until we in Erie County get some roads that can handle the diversion of traffic off Interstate 90, we have to support the Bowser amendment.

The roads in Erie County are not four-lane highways; they are not even good two-lane highways. No matter what we have there, we have been neglected for a long time. I am afraid that if Interstate 90 becomes a toll road and all the traffic gets off Interstate 90 and uses Route 5 or Alternate 5 in Erie County, it would really create a lot of congestion.

I am going to ask for an affirmative vote.

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—105**

- Angstadt
- Argall
- Arty
- Barley
- Battisto
- Bellard
- Bizzell
- Black
- Book
- Bowers
- Boyes
- Brandt
- Bunt
- Busi
- Burns
- Bush
- Cappabianca
- Carlson
- Cesar
- Chadwick
- Cimini
- Civera
- Cornell
- Cossett
- DeVereer
- Davies
- Dawida
- Dietz
- Dininni
- Distler
- Dombrowski
- Dorr
- Durham
- Fardo
- Fischer
- Flick
- Foster, Jr., A.
- Fox
- Freind
- Gallen
- Gannon
- Geas
- Flick
- Geases
- Godshall
- Greenwood
- Gruppo
- Hagarty
- Hasay
- Hayes
- Haynes
- Herman
- Hershey
- Honaman
- Hosh
- Huitt
- Ickin
- Jackson
- Johnson
- Kenney
- Kosinski
- Langtry
- Lauhinger
- McClatchy
- Mackowski
- Mammiller
- Merri
- Micozzi
- Miller
- Moehmann
- Mowery
- Naibill
- Noye
- O’Brian
- O’Perl
- Phillips
- Picozzi
- Pitts
- Preston
- Punt
- Raymond
- Reber
- Reiniard
- Robbins
- Ryan
- Saurman
- Scheetz
- Schuler
- Semenu
- Serafini
- Sirianni
- Smith, B.
- Smith, L. E.
- Snyder, D. W.
- Snyder, G. M.
- Staback
- Smith, L. E.
- Snyder
- Snyder
- Smith
- Stairs
- Stevens
- Swift
- Taylor, E. Z.
- Taylor, J. J.
- Tekel
- Tigue
- Vroom
- Wass
- Weston
- Wogan
- Wogin
- Wright, R. C.

**NAYS—92**

- Acosta
- Affergebach
- Baldwin
- Barber
- Belfanti
- Blais
- Bontner
- Bowley
- Broujos
- Duffy
- Fatiah
- Fee
- Freeman
- Fryer
- Gallagher
- Gamble
- Grutiza
- Haluska
- McCall
- McHule
- McVerry
- Maiasi
- Mandretino
- Markoske
- Mayernek
- Michlovc
- Morris
- Rud
- Rybak
- Saloom
- Seventy
- Stephans
- Stewart
- Stubin
- Sweet

The following roll call was recorded:
The question was determined in the affirmative, and the amendment was agreed to.

REMARKS ON VOTE

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

Mr. KOINSK1. Correction on a vote, Mr. Speaker. I was erroneously recorded in the affirmative. I wish to be recorded in the negative.

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

CONSIDERATION OF HB 1 CONTINUED

On the question,

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

Mr. POT1 offered the following amendments No. A0192:

Amend Title, page 1, line 4, by inserting after "Pennsylvania:" providing for the reorganization of the Pennsylvania Turnpike Commission;

Amend Table of Contents, page 2, by inserting between lines 13 and 14 Section 3. Reorganization of the Pennsylvania Turnpike Commission.

Amend Table of Contents, page 2, line 14, by striking out "3" and inserting 4

Amend Table of Contents, page 2, line 17, by striking out "4" and inserting 5

Amend Table of Contents, page 2, line 19, by striking out "5" and inserting 6

Amend Table of Contents, page 2, line 21, by striking out "6" and inserting 7

Amend Table of Contents, page 2, line 23, by striking out "7" and inserting 8

Amend Table of Contents, page 2, line 25, by striking out "8" and inserting 9

Amend Table of Contents, page 2, line 26, by striking out "9" and inserting 10

Amend Table of Contents, page 2, line 27, by striking out "10" and inserting 11

Amend Table of Contents, page 2, line 29, by striking out "12" and inserting 13

Amend Table of Contents, page 2, line 30, by striking out "13" and inserting 14

Amend Table of Contents, page 2, line 31, by striking out "14" and inserting 15

Amend Table of Contents, page 2, line 32, by striking out "15" and inserting 16

Amend Table of Contents, page 2, line 34, by striking out "16" and inserting 17

Amend Table of Contents, page 3, line 1, by striking out "17" and inserting 18

Amend Table of Contents, page 3, line 2, by striking out "18" and inserting 19

Amend Table of Contents, page 3, line 4, by striking out "19" and inserting 20

Amend Table of Contents, page 3, line 5, by striking out "20" and inserting 21

Amend Table of Contents, page 3, line 6, by striking out "21" and inserting 22

Amend Bill, page 5, by inserting between lines 13 and 14 Section 3. Reorganization of the Pennsylvania Turnpike Commission.

(a) Reorganization.—The Pennsylvania Turnpike Commission, as created by the act of May 27, 1937 (P.L.774, No.211), is hereby reorganized. The commission shall consist of nine members, one of whom shall be the Secretary of Transportation, who shall serve by virtue of his office. The Secretary of Transportation may authorize the Deputy Secretary for Highway Administration to act in his place, including the power to vote on any issue. The eight remaining members shall be residents of this Commonwealth at the time of their appointment and qualification and shall also at such time have been qualified electors therein for a period of at least one year next preceding their appointment and shall be appointed as follows:

(1) Four members shall be appointed by the Governor; no more than two appointees shall be from the same political party;

(2) One member shall be appointed by the caucus of the majority party of the Senate;

(3) One member shall be appointed by the caucus of the majority party of the House of Representatives;

(4) One member shall be appointed by the caucus of the minority party of the Senate;

(5) One member shall be appointed by the caucus of the minority party of the House of Representatives;
(b) Terms of members; limitations.—The appointed members of the commission shall be appointed for terms coextensive with those of their respective appointing authorities and until their successors shall be duly appointed and qualified. Appointees may not be removed from the commission during the term for which they were appointed except by the appointing authority when, in the opinion of the appointing authority, an appointee is permanently incapacitated or is guilty of malfeasance, misfeasance, nonfeasance, or has been adjudged by a court of law, guilty of any felony or conduct involving moral turpitude. No member of the commission may be a member of the General Assembly at the same time that he is a member of the commission.

(c) Salaries.—Each appointed member of the commission shall receive an annual salary of $12,000 except the chairman of the commission who shall receive an annual salary of $18,000. Each member of the commission shall be reimbursed for necessary expenses incurred in the performance of his duties.

(d) Oath and chairperson.—Immediately after such appointment, the members of the commission shall enter upon their duties. Each appointed member of the commission before entering upon his duties shall take the oath prescribed by Article VIII of the Constitution of Pennsylvania. The commission shall elect one of the appointed members as chairperson of the commission and shall also elect a secretary and treasurer who shall not be members of the commission.

(e) Quorum.—Five members of the commission or a majority of the members duly appointed shall constitute a quorum. All actions must be taken by a majority vote of the members of the commission present at a meeting of the commission. No vacancy in the commission shall impair the right of a quorum of the commissioners to exercise all the rights and perform all the duties of the commission.

(f) Bonds.—Before the issuance of any turnpike revenue bonds under the provisions of this act, each appointed member of the commission and the secretary and treasurer shall execute a bond in the penalty amount to be set by the commission in its discretion. The bonds shall be approved by the Governor and be conditioned upon the faithful performance of the duties of their office. The bonds shall be filed in the office of the Secretary of the Commonwealth.

(g) Executive director.—The members of the commission shall appoint an executive director of the commission, who shall not be a member of the commission, and who shall serve at the pleasure of the members of the commission, with the general powers and duties of management and supervision of the business of the commission.

(h) Rules and regulations.—The commission shall make necessary rules and regulations for its own government and shall have power and authority to acquire, own, use, hire, lease, operate and dispose of personal property, real property and interests in real property, and to make and to enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act, and to employ engineering, traffic, architectural and construction experts and inspectors and attorneys, and such other employees as may be necessary in its judgment, and to fix their compensation, including the compensation of the executive director, in accordance with comparable salaries as set by the executive board for the Department of Transportation. All contracts and agreements relating to the construction of the turnpike and connecting tunnels and bridges shall be approved by the Department of Transportation.

Amend Sec. 3, page 5, line 14, by striking out “3” and inserting 4

Amend Sec. 4, page 10, line 26, by striking out “4” and inserting 5
The amendment states that four members shall be appointed by the Governor, no more than two from the same political party. It provides for the appointment of one member by the caucuses of the majority and minority parties of the four caucuses on this Hill. It also provides that the Secretary of Transportation serve on the commission by virtue of his office. It provides that no member may be removed by the appointing authority, except when that appointee is permanently incapacitated or is guilty of malfeasance, misfeasance, or nonfeasance, or has been adjudged by a court of law guilty of any felony or conduct involving moral turpitude.

This amendment provides that each and every member of the General Assembly will have input into one of the most significant spending proposals ever undertaken in this Commonwealth. I think this legislation is far too important - 4 billion dollars' worth of spending - to turn it over to an independent commission over which this body, in particular, this House of Representatives, has virtually no say-so, no control, or no knowledge of what goes on. At least if we have an appointee from each of the two caucuses in this House, we will have some say—minor as it may be—into the massive construction projects that are being undertaken by the Turnpike Commission.

I would ask each and every member of this House to look very carefully at this amendment does. It gives each and every member of this House the opportunity to have some input into the future construction of turnpike extensions and some say, through a representative, into the management of that commission. I urge every member to vote in the affirmative for this amendment.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, I, too, rise to oppose the amendment for a somewhat simpler reason. I think that what we are really dealing with here is a question of simple arithmetic.

I think everybody who favors the toll road legislation recognizes that the Governor is going to have to be satisfied with regard to control of the commission. The reports that we have from the Senate are that there are negotiations toward trying to get confirmation to fill the vacancy on the Transportation Commission, and indications are that if that were done, this problem might be resolved. Now, it seems to me, Mr. Speaker, if we can have five turnpike commissioners and pay the salaries and the staff and all the other things that go with that and solve the problem with the toll road extension bill, we ought to give that a shot. We ought not to be running out here to create a nine-member committee, which will cost even more money, if it is not necessary.

So what I suggest, Mr. Speaker, is that we reject the Pott amendment; we send this bill over to the Senate. We all know full well that before this matter is resolved, either there is going to be some kind of reorganization amendment added by the Senate or there is going to be the vote put up to confirm the fifth nominee. But let us not give that all away to start with, and let us not commit ourselves to spending more and more money for additional commissioners if we do not have to. Let us vote "no."

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Westmoreland, Mr. Hutchinson, on the Pott amendment.

Mr. HUTCHINSON. I think I am a man of few words. I would like to say vote "no."

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Pott, want to speak the second time? The Chair recognizes the gentleman from Allegheny, Mr. Pott.

Mr. POTT. Thank you, Mr. Speaker.

I hope no one seriously thinks that the turnpikes that are being proposed under this legislation will fall into a state of disrepair simply because the commission is expanded from five to nine members. The legislation already contains strict provisions on the collection and disposition of tolls and other revenues of the Turnpike Commission. The Department of Transportation will have no control over these tolls; it will be of the commission itself. Therefore, I would ask you to give yourself an opportunity to have some input into the manage-
ment of the most massive construction project this State has probably ever undertaken.

To vote against this amendment is to vote for status quo, to say that you as a House member want no input into this construction project other than your vote here today. I would ask you to seriously look at your personal involvement by the opportunity to be involved in the selection process of a turnpike commissioner. Therefore, this House will thus be represented on that commission. Both parties in this House will be probably ever undertaken.

I ask you to vote in the affirmative.

The SPEAKER. The Chair thanks the gentleman.

Mr. MANDERINO. Mr. Speaker, very briefly.

The gentleman, Mr. Pott, must think that we are very naive. We can all count: we know how to count votes; we know how many you are proposing; we know who will control them. We are about to engage, if this bill passes, in some $4 billion in construction of new roads. Presently, the is a good way for it to remain while we are building and spending that kind of money.

To vote against this amendment is to vote for status quo. Will the House agree to the amendment?

Mr. MANDERINO. Mr. Speaker, very briefly. Will the House agree to the amendments?

The following roll call was recorded:

YEAS—90

Angstadt  
Argall  
Arty  
Barley  
Birmel  
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Bowser  
Boyes  
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Clymer  
Correll  
Coslett  
DeVetter  

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Johnson  
Kennedy  
Kenney  
Langtry  
Lashinger  
McClathy  
McVerry  
Mackowski  
Mannimmer  
Merry  
Miazzi  
McMurry  
Nbuhl  
Pezel  
Phillips  
Piccola  
Pitts  
Pott  
Raymond  
Reber  

Reinard  
Robbins  
Ryan  
Saurman  
Schuler  
Sennel  
Sinunni  
Smith, B.  
Smith, L. E.  
Snyder, G. M.  
Stairs  
Swift  
Taylor, E. Z.  
Taylor, J. J.  
Tekel  
Vranon  
Weston  
Wogan  
Wright, R. C.  

NAYS—110

Acosta  
Afflerbach  
Baldwin  
Barber  
Battist  
Belardi  
Belfanti  
Blau  
Bortner  
Bowley  
Brouzos  
Caltagione  
Cappabianca  
Carn  
Cowley  

Duffy  
Evans  
Faltah  
Fee  
Fryer  
Galagher  
Gamble  
George  
Gratitza  
Halska  
Harper  
Hewitt  
Hutchinson  
Ikin  

Lloyd  
Lucyk  
McCail  
Maidle  
Mandereino  
Markosek  
Mayerik  
Michovic  
Miller  
Moehlmann  
Morris  
Mrkonie  
Murphy  
Nuye  

Rudy  
Rybak  
Saloam  
Scheetz  
Serafini  
Shower  
Stabach  
Steighner  
Stewart  
Stuban  
Sweet  
Taylor, F. E.  
Taylor, F. E.  
Tigue  
Trello  

NOT VOTING—2

Dombrowski  
Gannon  

EXCUSED—1

Williams

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

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

Mr. McHALE offered the following amendment No. A0112:

Amend Sec. 3, page 7, lines 8 and 9, by striking out "tunnel or a bypass around the"

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

The SPEAKER. Mr. McHale, would you yield for a moment, please? We have a reconsideration motion we would like to take before taking your amendment.

Mr. McHALE. I understand, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

AMENDMENT A0127 RECONSIDERED

The SPEAKER. The Chair has filed by the gentleman from Lawrence, Mr. Pratt, and the gentleman from Washington, Mr. Lescovitz, the following reconsideration motion. They move that the vote by which the Bowser amendment A0127 to HB 1 was passed on the 12th day of February be reconsidered

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

The following roll call was recorded:

YEAS—196

Acosta  
Afflerbach  
Angstadt  
Argall  
Arty  
Baldwin  
Barber  
Battist  
Belardi  
Belfanti  
Blau  
Bortner  
Bowley  
Brouzos  
Caltagione  
Cappabianca  
Carn  
Cowley  

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Dietler  
Derr  
Durham  
Fargo  
Fischer  
Flick  
Foster, Jr., A.  
Fox  
Freid  
Gallen  
Gewe  
Gladeck  
Gladeck  
Grappa  
Hagerty  
Hagan  
Hayes  
Herman  
Hershey  

Levdansky  
Levin  
Linton  
Lombardo  
Dumavaci  
Dorr  
Duffy  
Fargo  
Fischer  
Foster, Jr., A.  
Fox  
Freeman  

Robbins  
Rud  
Rybak  
Sacoam  
Scheetz  
Shower  
Stabach  
Steighner  
Stewart  
Stuban  
Sweet  
Taylor, F. E.  
Tigue  
Trello  

NOT VOTING—2

Dombrowski  
Gannon  

EXCUSED—1

Williams
The question was determined in the affirmative, and the motion was agreed to. I did not get up and speak on it, but I have strong feelings about the present viability of taking now free roads and putting them into the toll road system. It is the only connecting link that the rural people have into the metropolitan Erie area. It is also the only connecting link between Ohio State and New York State. This road has been paved once by your and our people’s tax money. To have it revert into a toll road means that we are double taxing these people. They will be paying gasoline taxes, State and Federal, to pay for a system. In addition, they will be paying tolls. I think it is totally unfair, Mr. Speaker, and I urge the members to support the Bowser amendment.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. LLOYD. Thank you, Mr. Speaker.

I rise to oppose the amendment and suggest that the problem which Mr. Bowser and Mr. Merry are concerned about is regarding people out in the rural areas being able to get into Erie can be very simply solved. As I understand it from talking to other people from that part of the State, over 90 percent of the traffic on I-90 is out-of-State traffic. All you need to do is put the toll barriers at both ends, the State line. That way you catch the people who are out-of-State travelers. The way you can catch the people who are out-of-State travelers primarily, and you can allow the people to get on at the intervening interchanges and go into Erie and come back without ever having to pay the toll at all. So, you know, if we have to eventually toll that road, and we all hope that that is not necessary, but if we have to do that, there are ways to solve these problems. If we pass this amendment as is, we are going to have an avalanche here, and we might as well just pull the props out from under the compromise on this bill and forget it, because it is not ever going to happen. So I would ask for a “no” vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Pott, on the Bowser amendment.

Mr. POTT. Thank you.

I rise to oppose the Bowser amendment, and I would ask everyone to carefully consider what we will be doing if we adopt an amendment for a very parochial cause in one specific area of the State. I would imagine that then other members will be coming in with any portion of any interstate in their specific legislative district.

I ask the members of this House of Representatives to look carefully at HB 1. Nowhere in HB 1 is Interstate 90 even mentioned. The language is very broad, it is very general, and it authorizes negotiation. Therefore, it is not ever going to happen. So I would ask for a “no” vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Pott, on the Bowser amendment.

Mr. POTT. Thank you.

I rise to oppose the Bowser amendment, and I would ask everyone to carefully consider what we will be doing if we adopt an amendment for a very parochial cause in one specific area of the State. I would imagine that then other members will be coming in with any portion of any interstate in their specific legislative district.

I ask the members of this House of Representatives to look carefully at HB 1. Nowhere in HB 1 is Interstate 90 even mentioned. The language is very broad, it is very general, and it authorizes negotiation with the Federal Government for the purpose of reacquiring those portions of interstate highways which may be necessary to fund this project. That is all it does. It authorizes negotiation.

Second, it says that any negotiations would have to be approved by the Congress of the United States.

Third, it would say that any conversion would have to be subsequently approved by this General Assembly, this House. To eliminate a highway in one particular county will certainly do great harm and great damage to this legislation.
For those of you who ever read the Toll Road Task Force report, you will note that the conversion of some interstate highways to tolls appears to be the simplest and most feasible financial means of providing the revenues necessary to construct these projects. If we become very parochial, if we decide that one should not be eliminated for whatever reason, I believe we destroy the intent of the entire bill. We almost override a compromise which appears to be achieved.

All of us are good friends here in this House. Sometimes some of us vote for an amendment just because we like and respect the person offering the amendment or those who have supported the amendment. I ask that not to be the case here. I have great respect for my caucus administrator, Representative Bowser, and I would certainly like to vote for the amendment because he had offered it. However, it is a bad amendment. It destroys the bill, it is a very parochial amendment, and I ask you to look very carefully at the harm which this amendment can do to the bill.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. BOWSER. Thank you, Mr. Speaker.

Some of the previous speakers here seemed quite concerned about this little strip of highway up in Erie County and alluded to the fact that it probably would not be necessary to try to put this amendment in. We have a unique situation in Erie County, and I can appreciate the comments. I cannot quite understand how somebody from Somerset County can get up and knock a problem that we have in Erie County. I certainly would not try to do that when I do not know that much about Somerset County.

We do have a problem in Erie County, and it is because we do not have a good cross-county road system. I can remember, as I stated here earlier, of lines 2 and 3 miles long. Every stoplight in Erie County on U.S. 20 and U.S. 5 would back that traffic up. This is my concern, not to play any games. My concern is to represent Erie County and, in this case, try to keep that problem from reoccurring. There is no doubt in my mind that it will reoccur, and there is a lot more than 25 percent usage of local traffic, and not only Erie County; we have hundreds and hundreds of people who drive into Erie County from Ohio and New York State every day adding to the congestion. These are the types of people who, if you toll the road, will jump down onto our U.S. 5 and our U.S. 20.

So I would appreciate very much if you would hold the vote as we did before. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Beaver, Mr. Colafella.

Mr. COLAFELLA. Mr. Speaker, the State of Pennsylvania is at its crossroads. Pennsylvania used to be recognized as a State that was a great economic State, a State that was growing in leaps and bounds, and I tell you, this State is dying. If you do not believe me, you come to western Pennsylvania, where kids are literally leaving our area because there are no jobs. One of the reasons why we do not have jobs and we do not have any economic growth in western Pennsylvania is because we do not have any good roads. All you need to do is go to Connecticut, go to Texas, go anywhere, and you will see great big roads and you will see people moving in, industries moving in. This is a chance for Pennsylvania to finally do something. We cannot be parochial and vote that maybe we might toll one road in Erie County or in some other part of the State. We have to think big just like Texas and California and everybody else. We must oppose this amendment and we must pass this bill. Thank you.

Mr. PRATT. Mr. Speaker, for the past few days there has been quite a bit of activity here at the Capitol and throughout other parts of this State regarding economic development, particularly attempting to persuade General Motors to locate...
a certain Saturn project within the Commonwealth of Pennsylvania. That project is estimated to be approximately $5 million in costs and create approximately 6,000 jobs.

Before you, Mr. Speaker, you have another large economic development project. It is here, Mr. Speaker. All it takes is the necessary number of votes in the House and the Senate, a $4-billion economic development package. With the completion of certain missing links in this Commonwealth, we will be creating thousands and thousands of permanent and temporary jobs. The Saturn plant, Mr. Speaker, may be only a pipe-dream, but this is for real. The turnpike bill is for real, and now we have certain members who want to interject amendments here to kill the general scheme of the legislation. It is no secret, Mr. Speaker. If you start exempting interstates from this legislation, the Senate is not going to look at it. It is merely denying the opportunity for economic development in this State in the creation of thousands and thousands of jobs permanently and temporarily.

Oh, I sympathize with Mr. Bowser. He is doing his job as a legislator representing the Erie area; and Mr. Dombrowski, and so on and so forth. But, Mr. Speaker, look at the overall objective, what this bill is going to do for the Commonwealth of Pennsylvania in the long run.

Mr. Speaker, we worked hours and hours last summer—that is, the conference committee—on the turnpike extension bill, debating the conversion of certain interstates to toll roads. The result was the compromise language which is now contained in HB 1. It may be, Mr. Speaker, that no interstates will be converted to toll roads, but if certain interstates are to be tolled, this body will have the final say. We will determine by a vote of the majority in the House and the Senate whether or not Interstate 90 will be tolled. That will come in the future, maybe; it is only speculative, and perhaps never.

So, Mr. Speaker, I ask each and every one of you, reconsider your affirmative vote on this amendment. If you vote affirmatively again, you are literally delaying this piece of legislation maybe indefinitely or you are killing it, and you are killing the biggest economic development project that this State has ever seen. Vote "no," Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

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NOT VOTING—2

| Gamble | O'Donnell | EXCUSED—1 |

Williams

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

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Erie, Mr. Dombrowski, who wishes to make a statement on his vote on the Pott amendment.

Mr. DOMBROWSKI. Thank you, Mr. Speaker.

On the Pott amendment A0192 I was temporarily out of my seat, and I would like to be recorded in the affirmative again, you are literally delaying this piece of legislation maybe indefinitely or you are killing it, and you are killing the biggest economic development project that this State has ever seen. Vote "no," Mr. Speaker. Thank you.

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

CONSIDERATION OF HB 1 CONTINUED

The SPEAKER. The Chair now thanks Mr. McHale for his courtesy in yielding the floor.

On the question recurring,
Will the House agree to the bill on third consideration as amended?
Mr. McHALE offered the following amendment No. A0112:

Amend Sec. 3, page 7, lines 8 and 9, by striking out “tunnel or a bypass around the”

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

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

Mr. McHALE. Thank you, Mr. Speaker.

Mr. Speaker, as I indicated a few minutes ago, although I am the prime sponsor of this amendment, I offer it on behalf of the entire Lehigh Valley delegation, reflecting the views of members from both sides of the aisle.

This is really a very straightforward but equally important amendment. There is at the present time a severe traffic congestion problem in the vicinity of the existing Lehigh Tunnel on the Northeast Extension of the Pennsylvania Turnpike. In order to alleviate that problem, the current language in HB 1 indicates that either a new tunnel, or in the alternative, a bypass over the mountain, will be constructed to relieve some of that traffic congestion. All my amendment does is this: It indicates a recognition that there is a traffic problem, but it also recognizes that the construction of a bypass over the mountain would have a severe impact upon the Appalachian Trail, which runs along the crest of that mountain. By deleting the language referring to a bypass, this simply indicates that to solve our problem, we will not construct a bypass, but rather we will build a tunnel.

This language, I think, addresses the two problems simultaneously. It will alleviate the traffic congestion while preserving the priceless recreational heritage of the Appalachian Trail. We cannot lose with the passage of this amendment. It therefore seek an affirmative vote.

The SPEAKER. The Chair thanks the gentleman, Mr. McHale.

On the McHale amendment, the Chair recognizes the gentleman from Lehigh, Mr. Snyder.

Mr. D. W. SNYDER. Mr. Speaker, I would just like to rise in concurrence with my colleague, Mr. McHale, as cosponsor of the amendment and ask for a “yes” vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lawrence, Mr. Pratt, on the McHale amendment.

Mr. PRATT. Mr. Speaker, Representative Hutchinson and I have reviewed the amendment, and we realize that when HB 1 was drafted, it was an oversight on our part in terms of including the language which gave the turnpike an alternative method of solving the problem. Mr. Speaker, I have no problem with the amendment and support the gentleman’s attempt to correct a situation in his county. As a matter of fact, the tunnel system may be somewhat cheaper than the bypass method, so I support the amendment.

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

Mr. GLADECK. I just want to ask Mr. Pratt a question, if I may, please? Would he stand for brief interrogation?

The SPEAKER. The gentleman, Mr. Pratt, indicates he will so stand. You may proceed, Mr. Gladeck.

Mr. GLADECK. Mr. Speaker, you touched on my question briefly at the end of your last statement. Could you tell me exactly, or if you know approximately, how much the construction of that tunnel would cost and how long it would take, versus the bypass?

Mr. PRATT. Well, the fiscal note indicates that the project would cost approximately $40 million, and I do not believe the fiscal note made a differentiation between utilizing the tunnel concept or the bypass concept, but with conversations that I have had in the last few days with engineers at the Turnpike Commission, it is my understanding that it could be that with new techniques for tunneling and what have you, perhaps the tunnel method may be somewhat less expensive.

Mr. GLADECK. But at any rate there would not be too much of a difference. Is that what you are saying?

Mr. PRATT. I do not believe so.

Mr. GLADECK. Okay. Thank you, Mr. Speaker. 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—196

Acosta
Afflerbach
Angstadt
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Arty
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Birmelin
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Bowcoy
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Burns
Busch
Caltagirone
Capabianca
Carlson
Carn
Cawley
Cessar
Chadwick
Cimini
Civetta
Clark
Clymer
Cohen
Colafello
Cole
Cornell
Coslett

Dininni
Distler
Dombrowski
Donatucci
Dorr
Duffy
Durham
Evans
Fargo
Faistah
Fee
Fischer
Flick
Foster, Jr., A.
Fox
Freeman
Freind
Fryer
Gallagher
Gallen
Gamble
Gannon
Geist
George
Galtagirone
Godbold
Greenwood
Gruzza
Grappo
 Hagarty
Halaska
Harper
Hasay
Hayes
Herman
Hershay
Honaman
Howlett
Hutchinson
Itkin

Lashinger
Laughlin
Lescoovitz
Levidinsky
Linton
Livengood
Lloyd
Lucy
McCall
McClatchy
McHale
McVerry
Mackowski
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Markosek
Mayernik
Merry
Michlovic
Miccozie
Miller
Mohlemann
Morris
Mowery
Mrkonie
Murphy
Nahlil
Noye
O’Brien
O’Donnell
Olaz
Oliver
Perzel
Petrarca
Petticone
Phillips
Piccola
Pievsky
Pistella

Richardson
Rieger
Robbins
Rudy
Ryan
Rybak
Saleem
Sauerman
Scheetz
Schuler
Semmel
Serafini
Showers
Sirianni
Smith, B.
Smith, L. E.
Snyder, D. W.
Snyder, G. M.
Staback
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Taylor, E. Z.
Taylor, F. E.
Taylor, J. J.
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The question was determined in the affirmative, and the amendment was agreed to.

**REMARKS ON VOTE**

The SPEAKER. Why does the gentleman from Delaware, Mr. Gannon, rise?

Mr. GANNON. Mr. Speaker, on the Pott amendment A0192, my switch did not operate. I would like to be recorded in the affirmative.

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

**CONSIDERATION OF HB 1 CONTINUED**

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

Mr. SEMMEL offered the following amendments No. A0110:

Amend Sec. 3, page 6, by inserting between lines 18 and 19
(7) Construction of an additional Lehigh Tunnel on the Northeast Extension of the turnpike.

Amend Sec. 3, page 7, lines 8 through 11, by striking out all of lines 8 through 10 and “(4)” in line 11 and inserting
(3)

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Lehigh, Mr. Semmel.

Mr. SEMMEL. Mr. Speaker, I wish to ask at this time, with the support of the Lehigh Valley delegation, that this amendment be considered to provide for the tunnel, and also to echo the sentiments of the borough of Slatington, a population of 4,200, and the problem that a bypass would have posed regarding their water supply presently and in the future. Therefore, I ask for an affirmative vote on this amendment.

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

Mr. PRATT. Mr. Speaker, I rise to oppose the amendment. What it does, Mr. Speaker, if I read the amendment correctly, is it changes the priority of the particular project. This is amendment A0110? Is that correct, Mr. Speaker?

The SPEAKER. It is A0110. That is correct.

Mr. SEMMEL. It would move it into the first priority.

Mr. PRATT. Right.

Mr. Speaker, these particular projects are prioritized for a specific reason, and that is, utilizing the present revenues of the turnpike system, including those highways which would be included in the system by constructing them as toll roads, these particular projects included in phase A are at present financially feasible. If we were to add another project like the Lehigh Tunnel into phase A, it would throw the financial feasibility of all of the projects out of kilter and possibly endanger their completion. We are talking about an additional $40 million. Two things would probably have to happen - one, the tolls on the present system would have to be substantially increased; or alternative sources of funding would have to be found in order to complete all of the projects in phase A if it included the Lehigh Tunnel.

So, Mr. Speaker, I ask you to defeat this amendment, keep the prioritization in the general scheme of things, and allow those projects to be completed as they are now set forth, because they are financially feasible in particular chronological order. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Snyder, on the Semmel amendment.

Mr. D. W. SNYDER. Mr. Speaker, I would like to know if I can interrogate Mr. Pratt.

The SPEAKER. The gentleman, Mr. Pratt, indicates he will stand for interrogation. You may proceed, Mr. Snyder.

Mr. D. W. SNYDER. Mr. Speaker, what is the approximate cost of all the projects in phase A?

Mr. PRATT. I believe it is approximately $500 million.

Mr. D. W. SNYDER. Mr. Speaker, are there other improvements to the turnpike in phase A, other than actual new construction?

Mr. PRATT. There are certain projects included in phase A which are improvements to the current system instead of new construction.

Mr. D. W. SNYDER. Mr. Speaker, is it not true that the task force identified basically five projects that required improvements or reconstruction? If I can mention them - the third-lane expansion in the Philadelphia area, the new interchange for the Blue Route, the new interchange for I-95, the Lehigh Tunnel elimination, and the Keyser Avenue improvements.

Mr. PRATT. Mr. Speaker, the task force recommended in their final report a number of provisions in phase A, which included improvements to the current system; yes. Now, elaborate on your question again; I had some interruptions.

Mr. D. W. SNYDER. To get to the point, out of the five construction projects that were improvements or reconstruction, are not four out of those five projects in phase A?

Mr. PRATT. Yes.
Mr. D. W. SNYDER. The only reconstruction project not in phase A is the Lehigh Tunnel. Is that correct?
Mr. PRATT. In the bill?
Mr. D. W. SNYDER. Yes; of the five that I mentioned.
Mr. PRATT. Yes; they are in HB I, yes.
Mr. D. W. SNYDER. Therefore, the only reconstruction improvement project moved to phase B is the Lehigh Tunnel. Is that correct?
Mr. PRATT. That is not true.
Mr. D. W. SNYDER. Of the five that I mentioned.
Mr. PRATT. Mention the five again.
Mr. D. W. SNYDER. The third-lane expansion in Philadelphia; the new interchange in the Blue Route, I-276; a new interchange for I-95; and the Keyser Avenue improvements.
Mr. PRATT. Mr. Speaker, that is correct. The Lehigh Tunnel is the only one out of those five that is not in phase A under HB I, but you have to realize that there is another project which improves the current turnpike system which is not in phase A. It is in phase B, along with the Lehigh Valley Tunnel.
Mr. D. W. SNYDER. Of those projects in phase A that deal with reconstruction improvement, are any of them more expensive than the Lehigh Tunnel?
Mr. PRATT. Several, Mr. Speaker.
Mr. D. W. SNYDER. Therefore, the tunnel is no more expensive than the Philadelphia third-lane expansion, the new interchange in the Blue Route, and approximately the same price as a new interchange on I-95.
Mr. PRATT. Well, Mr. Speaker, I assure you that the selection by the drafters of the original version of this bill and the conference committee from last year was not arbitrary. We did not decide that the Lehigh Tunnel should not be in phase A because for some reason we thought that the legislators in that area did not deserve it. Mr. Speaker, it is a matter of priority. It was felt that, for example, expanding the four lanes in the Philadelphia area, which has been a long time in coming, was very important and, therefore, should be in phase A. We are not saying that the Lehigh Tunnel is not an important project, but we had to make selections.
Mr. D. W. SNYDER. Is it not true, Mr. Speaker, that the Lehigh Tunnel construction would not be authorized until the interstate system is converted to toll roads?
Mr. PRATT. That is untrue, Mr. Speaker.
Mr. D. W. SNYDER. Does not HB I require that all conditions of the bill be met before phases B and C be met?
Mr. PRATT. Yes. Do you know the conditions, Mr. Speaker?
In reading the bill, Mr. Speaker, it talks about finding alternative sources of funding or converting certain interstates to toll roads. It could be at that time, Mr. Speaker, that current revenues of the system could support additional projects. Understand that when half of the projects in phase A are completed, under the interpretation of "substantially completed," the commission can initiate those projects in phase B.

Mr. D. W. SNYDER. Is there a time limit on when phase A must be completed?
Mr. PRATT. No, Mr. Speaker, there is not.
Mr. D. W. SNYDER. How much would a $40-million project cause the rates to go up on the turnpike system?
Mr. PRATT. I do not have any idea, Mr. Speaker.
Mr. D. W. SNYDER. That ends my interrogation, Mr. Speaker. If I may make remarks on the amendment?
The SPEAKER. The gentleman, Mr. Snyder, is finished with his interrogation. He may make a statement on the amendment.
Mr. D. W. SNYDER. Thank you, Mr. Speaker.
Mr. Speaker, the Lehigh Tunnel is very important to the northeast as far as economics is concerned. In 1974 this project was out for bid, but due to the oil crisis and the high bids that came out at that time, there was considered the need for further study. Therefore, this is a project that has been of ongoing concern to many people in the northeast and to the Turnpike Commission itself.
The argument that a $40-million project will require increased toll revenues in order to substantiate that particular project but yet have no impact as far as all the other projects are concerned, I do not think makes much sense. I feel that all reconstruction projects that were identified as important by the task force, those that have been of prime importance to the Turnpike Commission, should be in phase A.
As Mr. Pratt has noted, there is no time requirement in which these projects in phase A have to be completed. Therefore, if we need more time to generate the revenues, that is plausible and it is up to the commission in order to plug it into their capital plan in order to finance all the projects in phase A.
I would strongly ask for your support for this amendment. Thank you.
The SPEAKER. The Chair thanks the gentleman.
The Chair recognizes the gentleman from Lawrence, Mr. Pratt.
Mr. PRATT. Thank you, Mr. Speaker.
In response to the gentleman, Mr. Snyder, I might ask, Mr. Speaker, where Mr. Snyder has been for the past 12 months. This particular piece of legislation in its present form has been before this body on a number of occasions, but yet Mr. Snyder did not rise to object to the fact that the Lehigh Tunnel was not in phase A but rather was in phase B. And now at this eleventh hour Mr. Snyder comes along on his white horse and says that the Lehigh Tunnel should be in phase A, thereby, again, throwing the complete priority of the projects out of kilter.
I suggest, Mr. Speaker, that you should have been doing last year what you are doing now. The conference committee has considered these projects; it has considered the fact that these projects are in the order that they are because of financial feasibility, because of the ability to complete, because of the ability to finance. So again, Mr. Speaker, you are going to start a snowball effect. If Mr. Snyder would like to have the Lehigh Tunnel in phase A, why should not the delegation
from Washington County have the Mon Valley Expressway in phase A? Why should not those who represent areas around Route 219 have it in phase A? Why should not all of the projects be in phase A? Because it is not financially feasible, Mr. Speaker. I urge a negative vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Allegheny, Mr. Pott, on the Semmel amendment.

Mr. POTT. Thank you, Mr. Speaker.

Like the gentleman, Mr. Pratt, and probably like every member of this General Assembly, I would love to see every project be in phase A, but it simply is not financially feasible to put every project in phase A. The projects that are in phase A are in there for three primary reasons - economic development, correction of safety conditions, and economic feasibility.

The new tunnel at the Lehigh Mountain would not do anything other than create some construction jobs on a temporary basis. It is my understanding that the tunnel is on one of the least traveled sections of the turnpike. It does become somewhat congested at certain weekends during the summer. The tunnel will not promote any additional jobs in the surrounding area; it will just provide us with an easier way to go from Allentown to Scranton. Maybe a shorter period of time would be required on a very few days in the year.

Let us not jeopardize the entire financial feasibility of this bill by moving projects from one phase to another phase. We all have our wish lists. We would all love to see the projects that we may drive on or may be closest to our area in phase A. I appreciate that, but I also would appreciate your considering the necessity for safety reasons of those projects that are in phase I and their potential for economic development for this entire State. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. McHALE. Thank you, Mr. Speaker.

Mr. Speaker, I had not planned on rising to address this particular question, but I feel that it is necessary in light of some of the remarks recently made by the gentleman, Mr. Pott.

Whether you choose to vote for or against the Semmel amendment, I think that you ought to vote based on the facts as they actually exist.

This has been portrayed as a parochial project, something that only the members of the Lehigh Valley are concerned about. I would submit, Mr. Speaker, that the construction of a new tunnel through the Lehigh Mountain is a matter of critical importance to the entire northeastern part of our State. Tourism, in recent years, has been the mainstay of the economy in northeastern Pennsylvania. The lack of adequate transportation in the vicinity of the existing Lehigh Tunnel has been a major impediment to the increase in tourism in the Poconos. I would certainly hope that we would have the support of the northeastern delegation. Moreover, while it is true that citizens from the Lehigh Valley often are stopped in the congestion of the existing tunnel, so too are the citizens from Philadelphia. Our constituents suffer that traffic problem, but so do the people who live in Philadelphia who travel to the Poconos on a regular basis for skiing, automobile racing, and the other recreational facilities available in northeastern Pennsylvania.

This is not a parochial issue, unless you define the entire eastern half of Pennsylvania as being parochial. The members from the Lehigh Valley support this amendment obviously because it is of significance to the people in the Lehigh Valley. We also support it because we believe it is of critical significance to the entire turnpike system and the entire population of eastern Pennsylvania. I seek an affirmative vote in support of the Semmel amendment.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. SEMMEL. Mr. Speaker, I would like to point out basically that this is not a new project. I remind those of you in eastern Pennsylvania of the fact of the cutoff of 209. It is a major north-south corridor.

In a concluding statement, I would remind you that the entire Pennsylvania Turnpike system presently consists of four traffic lanes, except for the Lehigh Tunnel segment of the Northeast Extension, and the continued growth of traffic on that extension of the turnpike has resulted in numerous traffic tieups, delays, and other inconveniences to its patrons. By 1999 the volume of traffic will have doubled, resulting in a critical need for relief. I support the tunnel for three reasons - economic development, travel and tourism, and the future of the borough of Slatington.

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—112

| Afferbach | Dietz | Kenney | Rudy |
| Angstadt | Dutler | Lashinger | Ryan |
| Argall | Dor | Linton | Rybak |
| Arte | Durham | Lucy | Saurman |
| Barley | Fargo | McCull | Schaez |
| Baristo | Faitah | McCleary | Schuler |
| Birmelin | Fischer | Mclintoch | Semmel |
| Black | Flick | McVerry | Serfini |
| Bonk | Foster, Jr., A. | Mackowski | Siriani |
| Boraas | Fox | Mannaner | Smith, B. |
| Bowser | Freeman | Mervy | Smith, L. E. |
| Boyes | Freind | Micozie | Snyder, D. W. |
| Bunt | Gallen | Miller | Snyder, G. M. |
| Burns | Gannon | Moehlman | Suits |
| Bush | Geist | Mower | Stevens |
| Caltagirone | George | Nahli | Swift |
| Carlson | Gladek | Noye | Taylor, E. Z. |
| Cawley | Godshall | O'Brien | Taylor, J. J. |
| Cessar | Greenwood | Perzel | Tekh |
| Chadwick | Gruppo | Phillips | Vroom |
| Cimini | Hugarty | Piccola | Wambach |
| Civera | Hasay | Pits | Wass |
| Clymer | Hayes | Pressman | Weston |
| Cohen | Herman | Purt | Wilson |
| Cornell | Hershey | Raymond | Wogan |
| Coslet | Jackson | Reber | Wright, J. L. |
| DeVerter | Johnson | Reinard | Wright, R. C. |
adoption of that previous amendment threw the whole bill sort of out of kilter. I am not going to oppose Mr. Smith’s amendment, if he insists on having it included in the bill.

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—181**

[Names of members voting aye]

**NAYS—19**

[Names of members voting no]

**NOT VOTING—2**

[Names of members not voting]

**EXCUSED—1**

[Names of members excused]
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?

Mr. FARGO offered the following amendments No. A0189:

Amend Title, page 1, lines 32 and 33; page 2, lines 1 through 4, by striking out “authorizing the Secretary of Transportation” in line 32, all of line 33 on page 1; all of lines 1 through 3 and “to toll roads;” in line 4 on page 2

Amend Table of Contents, page 2, line 14, by removing the comma after “extensions” and inserting

and

Amend Table of Contents, page 2, line 15, by inserting a period after “improvements”

Amend Table of Contents, page 2, lines 15 and 16, by striking out “and the conversion of toll-free” in line 15 and all of line 16

Amend Sec. 1, page 3, line 11, by striking out “and Toll Road Conversion”

Amend Sec. 2, page 4, lines 17 through 21, by striking out “and any costs of reimbursing the” in line 17, all of lines 18 through 20 and “this act,” in line 21

Amend Sec. 2, page 5, lines 2 through 4, by striking out “and, the toll-free” in line 2, all of line 3 and “and otherwise” in line 4 and inserting

as

Amend Sec. 2, page 5, lines 11 through 13, by striking out all of said lines

Amend Sec. 3, page 5, line 14, by removing the comma after “extensions” and inserting

and

Amend Sec. 3, page 5, line 15, by inserting a period after “improvements”

Amend Sec. 3, page 5, lines 15 and 16, by striking out “and the conversion of toll-free” in line 15 and all of line 16

Amend Sec. 3, page 5, lines 28 and 29, by striking out “subject to the waiver of the Federal toll prohibition provisions where applicable”

Amend Sec. 3, page 6, lines 25 and 26, by striking out “subject to the waiver of the Federal toll prohibition provisions where applicable”

Amend Sec. 3, page 7, lines 21 and 22, by striking out “subject to the waiver of the Federal toll prohibition provisions where applicable”

Amend Sec. 3, page 8, lines 15 and 16, by striking out “subject to the waiver of the Federal toll prohibition provisions where applicable”

Amend Sec. 3, page 9, line 14, by striking out “after completion” and inserting

as part

Amend Sec. 3, page 9, lines 16 and 17, by striking out “and subject to prior Legislative approval by the General Assembly and the United States Congress,”

Amend Sec. 3, page 9, line 20, by striking out “interstate” and inserting

State and local

Amend Sec. 3, page 9, line 22, by inserting a period after “(d)”

Amend Sec. 3, page 9, lines 22 through 30; page 10, lines 1 through 19, by striking out “, and” in line 22, all of lines 23 through 30 on page 9 and all of lines 1 through 19 on page 10

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the Chair recognizes the gentleman from Mercer, Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

This amendment removes from HB 1 the authority of the Secretary of Transportation to seek the conversion of any of our existing interstate highways to toll roads and removes the availability of monies for that purpose.

I want to first state that I personally am highly in favor of completing the important missing links, including Route 60, the Beaver Valley Expressway, and I realize the importance of that. But there are many reasons for not converting our existing free highways and bridges to toll highways. I think we have to consider the fact that when we do, we are leaving ourselves wide open for retaliation from other States. We have certainly seen that as far as our axle tax is concerned, and I do not think we should be kidding ourselves that it is not going to happen in the future if we should convert these roads to toll highways.

Secondly, and it has already been mentioned, is the fact that we have already paid for these interstate highways once. We are now going to pick up the tab one more time and then proceed to pay for the toll roads again as we use those toll roads. I do not think that is fair to Pennsylvanians when they are using these roads.

But I believe the most important part of the argument for not having a conversion of the interstate highways or any of them to toll roads is an economic one. For anyone living in a county bordering another State or through which any interstate highway passes, there has to be a major concern about any reduction of travel on these highways. Such a reduction will mean a loss of business to the many, many restaurants, motels, and so forth, along these highways.

As I listened to the maker of the bill discuss this bill on the Bowser amendment, I noticed two points were being made. One point is that there are sufficient safeguards that when we start considering conversion, we are going to have to come back to the legislature to get this done. I think what I was hearing him say is that it probably never will happen, but at the same time and almost in the same breath, I was told that this cannot pass the Senate, because without being able to change these to toll roads, it is not financially feasible. The whole thing will not work. That scares me. That makes me believe that what we are really saying in this bill is, we are going to convert our interstate highways to toll highways somewhere along the way. What we really have to do is provide the financial base to complete those missing links without being concerned about whether we are going to have a change in the system that we presently have, and that is a free system across our State with our interstate highways.

I think all these things should be considered above all else, and I do realize that we defeated the Bowser amendment, which had to do with a small portion of this, but I think we had better look at the overall picture, realize what it is going to do in your area, especially if you live in a county where interstate highways cross the county, and vote for this amendment. Thank you.
The SPEAKER. The Chair thanks the gentleman.

On the Fargo amendment, the Chair recognizes the gentleman, Mr. Pratt.

Mr. PRATT. Mr. Speaker, I hope I am not redundant in any of the following statements which were applicable to my opposition to Representative Bowser’s amendment.

Mr. Speaker, if we take the provisions out of this particular bill dealing with the general concept of the conversion of interstates to toll roads if the need arises in the future, Mr. Speaker, we are ordering the death knell to this particular piece of legislation. We all know that the Senate will not agree to the elimination of that provision.

And I might add, Mr. Speaker, that each and every amendment which is coming before us seems to be coming from the other side of the aisle. Mr. Speaker, it may be that the other side of the aisle would like to kill HB 1. Well, if that is the motive, Mr. Speaker, you are doing a good job of it, because with the inclusion of the Lehigh Tunnel amendment, with the adoption, perhaps, of the Fargo amendment, and perhaps other amendments which may come before us in the next few minutes, Mr. Speaker, this bill will not be in any shape or form to pass any body.

I am going to oppose this amendment and all future amendments, Mr. Speaker, but those of you on the other side of the aisle who insist on amending this bill are causing its ultimate defeat. It may be in the future, Mr. Speaker, that every one of us, particularly on this side of the aisle, who have projects in phases B, C, and D will want their projects in phase A. If that is the case, Mr. Speaker, so be it. The same thing applies with eliminating the provision calling for the conversion of interstates to toll roads, Mr. Speaker. I sympathize with Mr. Fargo, but again, Mr. Fargo has got to look at the overall picture. He is doing no less than killing HB 1 with the adoption of his amendment. I am voting “no.”

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Stevens.

Mr. STEVENS. Thank you, Mr. Speaker.

I support the Fargo amendment.

We have a bond with our taxpayers that when they paid for the interstates they were told that they were freeways, and that is what they should be. In this great wide world the only place where Interstates 80 and 81 join is in Luzerne County, in the heart of the Poconos and the heart of northeastern Pennsylvania. If in the future these roads become toll roads, it would have a disastrous effect on the local economy, not to mention many other things that northeastern Pennsylvania is trying to avoid.

New Jersey does not seem to have a problem with their Interstate 80. When you cross over from Stroudsburg into New Jersey, the road is beautiful. It is well kept; it is clean; it is easy to drive on; it is three lanes in most areas, and it is not a toll road. I do not think Pennsylvania should take a step backwards here and start talking about giving the authority to some commission to let us have our interstates become toll roads. If, as the gentleman, Mr. Pratt, says, they have to come back to this legislature anyway, then let us not change the law in that respect.

Mr. Speaker, a toll road. I do not think Pennsylvania should take a step back-wards here and start talking about giving the authority to some commission to let us have our interstates become toll roads. If, as the gentleman, Mr. Pratt, says, they have to come back to this legislature anyway, then let us not change the law in that respect.

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Amend Sec. 3, page 9, line 27, by removing the period after “roads” and inserting ; however, this provision shall not apply to Interstate Route 80 and Interstate Route 81.

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

The SPEAKER. On that question, the Chair recognizes the gentleman from Luzerne, Mr. Stevens.

Mr. STEVENS. Thank you, Mr. Speaker.

This amendment would take Interstate 80 and Interstate 81 out of this bill as possible future toll road conversions.

Now, I heard somebody just say that if you drive into Ohio, that that is a toll road. That was a toll road at the very beginning. What you are talking about here is a fraud on our taxpayers. They were told they were paying taxes and higher gasoline taxes for a free interstate highway system. Ohio had that toll road when it was first constructed. Now we are trying to tell the people that their free highway system has to become toll roads. That is not right. It has been paid for once—It has been paid for over and over again, more than one time.

As I said, Interstates 80 and 81 join in Luzerne County in the heart of the Poconos in northeastern Pennsylvania. If these roads become toll roads, they are going to just destroy the local economy and a lot of the economy in northeastern Pennsylvania.

To say that we are going to lose jobs because we do not want to have our interstate systems become toll roads is a fallacy. When an industry is going to look here to possibly come to Pennsylvania, they are going to look at the highway system as a major factor to consider, and to have it as a toll road is going to work against us when we have to compete with places like Texas and California that have a tremendous and beautiful freeway system.

So let us not take a step backwards, and let us say no to these attempts to convert our interstate systems such as 80 and 81 into toll roads. I have a suspicion the decision is already made to make them toll roads, so I am asking for your support on this amendment. Thank you.

The SPEAKER. On the Stevens amendment, the Chair recognizes the gentleman from Lawrence, Mr. Pratt.

Mr. PRATT. Mr. Speaker, I do not want to reiterate my same arguments pertaining to the Bowser amendment and the Fargo amendment, but they apply equally to the Stevens amendment. There is no indication that Interstate 80 or 81 is going to be converted to a toll road. That may be considered in the future, but if it is, that question will come before this General Assembly. There is no specifying which interstates will be converted contained in the present language.

Do not weaken this bill any more than it is. Defeat this amendment. There are sufficient safeguards in the bill at the present time such that Representative Stevens and those who live in his district can know that if there is the plan in the future to convert Interstate 80 or 81 into toll roads, I have a suspicion the decision is already made to make them toll roads, so I am asking for your support on this amendment. Thank you.

The SPEAKER. On the Stevens amendment, the Chair recognizes the gentleman from Luzerne, Mr. Stevens.

Mr. STEVENS. Thank you, Mr. Speaker.

Mr. Speaker, there is no need at this time to place Mr. Stevens’ amendment in this bill. It is not necessary, and I ask all members on both sides to defeat the amendment.

The SPEAKER. The Chair thanks the gentleman. The Chair recognizes the gentleman from Luzerne, Mr. Stevens.

Mr. STEVENS. Thank you, Mr. Speaker.

Very briefly, if there is no need or no worry about a future conversion, if they have to come back to this legislature to ask
our approval, then it is absurd to put it in this bill now, and my amendment should pass so we could just take it out of the bill and let them come back in the future if they want to, and we will discuss it at an appropriate time. But if, as Mr. Pratt said, they still have to come back to us in the future, then why not get rid of it now and at an appropriate time discuss it.

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I live right in the heart of Pennsylvania, and I-80 passes right through me. I sure hope it becomes a toll road, and I want it to be a toll road to help pay for everybody else's roads and eliminate all the traffic coming through my beautiful mountains. I want to share all of it with all the rest of you in this beautiful State. I really mean it. I want to see I-80 become a toll road, and I want it to pay for the Lehigh Valley Tunnel and I want it to pay for all the rest of the stuff you guys want. I think we can do it, because we have a tractor-trailer coming down there about every 10 seconds, and I would sure like to get all the smoke and fumes out of there so my deer could run without all their breath taken away from them. I hope that we can pass this and we can defeat this amendment for sure, because this is the one I really want to become a toll.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. POTT. For the same arguments that were used in opposition to the amendments offered by the gentleman, Mr. Fargo, and the gentleman, Mr. Bowser, I would ask that the House reject the Stevens amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

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NOT VOTING—2

| Dininna | Howlett |

EXCUSED—1

| Williams |

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

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

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

You do not have an amendment? Withdrawn?

Mr. BURNS. Mr. Speaker, if I could just for a moment make a statement?

The SPEAKER. The gentleman is in order.

Mr. BURNS. Thank you, Mr. Speaker.

I had an amendment drawn to eliminate the connector with I-95 and the turnpike in Bucks County. I am withdrawing that amendment not because I— Well, I am withdrawing it because after talking to the maker of the bill, Mr. Pratt, and Mr. Hutchinson, the chairman of the Transportation Committee, there is no doubt in any of our minds that the connector is needed; the problem is where the turnpike wants to put that connector. It would devastate playgrounds and housing developments in my township, the township of Bensalem.

I have been assured by the maker of the bill, Mr. Pratt, and by the chairman of the Transportation Committee that they will meet with me and with the Turnpike Commission to resolve our problem with the township and with the people's homes. If the Turnpike Commission does not do that, they
have also promised me that they would cosponsor bipartisan legislation that would then remove that particular portion of the connector from this bill. So I will be working with them to do that, and knowing that Bucks County needs the connector, I really think that the Turnpike Commission, hopefully, will work with us, and if not, we have an escape route, and I am willing to go along with that and withdraw the amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

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| De Verter | Josephs | Punt | Wright, J. L. |
| DeWeese | Kasunic | Raymond | Yandrisvits |
| Duley    | Kennedy | Reber | |
| Davies   | Kenney | Reinard | Irvis, |
| Dawida   | Kukovich | Richardson | Speaker |
| Deal     | Langtry | |

NAYS—1

Kosinski

NOT VOTING—5

Barber | Malae | Morris | Wiggins
Levin

EXCUSED—1

Williams

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

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

The clerk read the following amendments No. A010:

Amend Sec. 3, page 6, by inserting between lines 18 and 19
(7) Construction of an additional Lehigh Tunnel on the Northeast Extension of the turnpike.

Amend Sec. 3, page 7, lines 8 through 11, by striking out all of lines 8 through 10 and "(4)" in line 11 and inserting

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

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Snyder, on the Semmel amendment.

Mr. D. W. SNYDER, Mr. Speaker, there are two main objections to this amendment, one of which is that it would jeopardize the entire piece of legislation known as HB 1 because of the finite way in which the financing of this bill is structured.

Let me remind the members that in phase A there is over 450 million dollars’ worth of projects already. The project we are talking about is $40 million. There is no time period for the construction of those projects; therefore, we are talking about less than a 10-per cent increase in the total cost of phase A, with the ability of the Turnpike Commission to amortize those costs and to initiate the capital construction whenever they feel it is feasible to do so with the revenues that are available.

Secondly, Mr. Speaker, the objection that this amendment strictly serves as a gateway from Allentown to Scranton is strictly a statement of ignorance as far as the importance of the economic impact of the Northeast Extension to the Commonwealth of Pennsylvania. As Mr. Semmel, the sponsor of the amendment, noted, there are very few north-south routes in the eastern part of Pennsylvania to serve as an economic corridor not only through Pennsylvania but also from New York to Delaware and Maryland along that coast. It impacts
upon Philadelphia; it impacts upon the industries in the northeast, as well as providing transportation for trucks and other vehicles to the central part of Pennsylvania to tie into either Interstate 80 or the other parts of the turnpike. It is a critical area; it has a significant economic impact.

I would just ask those members who supported us the first time to please support this again. The arguments are valid; it will not jeopardize the projects as noted. The project fits in with all of the other reconstruction improvement projects that are included in phase A. Why allow four out of five? If the argument was that one project is going to make the difference, then take all the projects out. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. POTT. Thank you, Mr. Speaker.

Many long hours were spent by professional people in analyzing the financial feasibility of the turnpike expansion program. There were representatives from the northeastern part of the State who participated as active members of the Governor's Toll Road Task Force. Those members who participated recognized that the Lehigh Tunnel, the new Lehigh Tunnel, the second tunnel in the mountain, was a priority which could be put into phase B.

The overall economic development of the Commonwealth will not be improved by putting a second tunnel into Lehigh Mountain immediately. It will undoubtedly ease traffic flow on certain summer weekends when the traffic is heavy between the southeastern and eastern-central portions of the Commonwealth and the Poconos. I have driven through the Lehigh Tunnel probably 15 times in my entire life and have never found it to be overly congested.

I do believe that our priorities should be structured to make the very best use of the dollars that are available. I think the Lehigh Tunnel is important. I do not think it is so important that we jeopardize the completion of those other stated priorities in phase A. I would certainly hope that you recognize the long-term economic impact for job production of those priorities in phase A and vote to keep the Lehigh Tunnel where it is, in phase B, and reject the Semmel amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Lawrence, Mr. Pratt.

Mr. PRATT. Thank you, Mr. Speaker.

Mr. Speaker, I totally agree with the arguments put forth by Representative Lloyd and also Representative Pott. Mr. Speaker, immediately after the adoption of the Semmel amendment dealing with the Lehigh Tunnel, I was approached by several members, at least on this side of the aisle, who have asked me to hold this bill over so that they may submit amendments to the bill to place their projects in phase A. Those projects are in phases B, C, and D.

Mr. Speaker, I do not think that those members who voted for the Semmel amendment realize what that will mean. If the majority leader, Representative Manderino, insists that the Mon Valley Expressway should go in phase A, he is going to do everything he can because the Lehigh Valley Tunnel was put in phase A when it should not be in phase A; it should be in phase B.

Those who live around the 219 project; those who live in the Jefferson County area, perhaps in the Berks County area; those members who represent those areas, and the list goes on, if you look into the provisions in HB 1 - those provisions dealing with the projects in phases B, C, and D, and there are many of them - those members should be coming forth offering amendments to this bill to put their projects in phase A.

Mr. Speaker, Representative Snyder's arguments do not hold water. Despite what he says, putting the Lehigh Tunnel project in phase A jeopardizes very critically this entire piece of legislation.

To reiterate Representative Pott's argument, Mr. Speaker, highway experts, engineers, financial consultants have looked
at these projects. They have concluded that those projects in phase A, as set forth in HB 1, are there because they are financially feasible. To add another project like the Lehigh Tunnel, Mr. Speaker, makes all of those projects in phase A financially unfeasible and probably precludes the completion of any of those projects in B, C, and D unless we hold this bill over and allow Representative Mandarino, Representative Laughlin, Representative so on and so forth to offer their amendments to place their projects in phase A. Truthfully, Mr. Speaker, I am in no position to oppose those amendments.

Put your finger in a dike, Mr. Speaker; reconsider your vote; vote against the Semmel amendment for the sake of the Tunnel as a priority project. Why it was not included in phase A of this bill, frankly, I do not know.

The gentleman, Mr. Pratt, admonished the gentleman, Mr. Snyder, as getting involved too late. 1 would suggest that the reason the Lehigh Valley delegation is involved a bit too late, in Mr. Pratt's estimation, is because not a single member of our valley delegation was contacted about this bill and a project that is of great importance to us as well as Philadelphia and the northeast. Now, Mr. Speaker, I expect to be torpedoed by my enemies; I do not expect to be torpedoed by my friends. When a member of my caucus is going to offer their amendment, the Chair recognizes the gentleman, Mr. Afflerbach, to make those statements without some sort of rebuttal.

First of all, the gentleman, Mr. Snyder, laid out the facts very well - the task force does consider the second Lehigh Tunnel as a priority project. Why it was not included in phase A of this bill, frankly, I do not know.

The gentleman, Mr. Pratt, admonished the gentleman, Mr. Snyder, as getting involved too late. I would suggest that the reason the Lehigh Valley delegation is involved a bit too late, in Mr. Pratt's estimation, is because not a single member of our valley delegation was contacted about this bill and a project that is of great importance to us as well as Philadelphia and the northeast. Now, Mr. Speaker, I expect to be torpedoed by my enemies; I do not expect to be torpedoed by my friends. When a member of my caucus is going to offer their amendment, the Chair recognizes the gentleman, Mr. Afflerbach, to make those statements without some sort of rebuttal.

The SPEAKER. The Chair thanks the gentleman.

On the Semmel amendment, the Chair recognizes the gentleman from Lehigh, Mr. Afflerbach.

Mr. AFFLERBACH. Thank you, Mr. Speaker.

I rise to urge that we once again approve this amendment. There have been a number of things said which I think need reiteration even though the hour is late.

First of all, the gentleman, Mr. Snyder, laid out the facts very well - the task force does consider the second Lehigh Tunnel as a priority project. Why it was not included in phase A of this bill, frankly, I do not know.

The gentleman, Mr. Pratt, admonished the gentleman, Mr. Snyder, as getting involved too late. I would suggest that the reason the Lehigh Valley delegation is involved a bit too late, in Mr. Pratt's estimation, is because not a single member of our valley delegation was contacted about this bill and a project that is of great importance to us as well as Philadelphia and the northeast. Now, Mr. Speaker, I expect to be torpedoed by my enemies; I do not expect to be torpedoed by my friends. When a member of my caucus is going to offer their amendment, the Chair recognizes the gentleman, Mr. Afflerbach, to make those statements without some sort of rebuttal.

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—114

Afferbach  DeVerter  Kenney  Ryan
Angstadt  Davies  Lashinger  Rybak
Argall  Dietz  Luckey  Saylaw
Artz  Dininni  McCall  Schuler
Baldwin  Dorr  McClatchy  Semmel
Barley  Durham  McVerry  Scafati
Battisto  Fattah  McClellan  Showsers
Belardi  Fischer  Mennon  Sirianni
Belfanti  Fick  Mannimmer  Smith, B.
Birmelin  Fosser, Jr., A.  Mayernik  Smith, L. E.
Black  Fox  Merry  Snyder, D. W.
Blum  Freeman  Micozzi  Snyder, G. M.
Book  Freind  Miller  Stars
Bowser  Galinn  Mohrmann  Stevens
Boyce  Gantion  Mowery  Swift
Brundt  Geis  Nahill  Taylor, E. Z.
Burt  George  Noye  Taylor, J. J.
Bush  Gladlick  O'Brien  Telek
Caltagirone  Godshall  Perzel  Tigue
Carlson  Gruppo  Phillips  Vrean
Cawley  Haagery  Piccola  Wambach
Cesar  Hasty  Pins  Wass
Chadwick  Hayes  Pressman  Weston
Cimini  Herman  Punt  Wilson
Civera  Hershey  Raymond  Wogan
Clymer  Honaman  Reber  Wright, J. L.
Cornell  Jackson  Rieger  Wright, R. C.
Coslet  Johnson  Robbels  Yandrisevits

The SPEAKER. The Chair apologizes to the gentleman. He had not spoken the first time; this was his first time on the amendment.

Mr. PRATT. Mr. Speaker, one quick remark, please. I will be brief.

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

Mr. PRATT. Mr. Speaker, I could not allow my good friend and colleague, Mr. Afflerbach, to make those statements without some sort of rebuttal.

Mr. Speaker, I have been involved in this type of legislation in one form or another for the past 2 years, and during my many conversations with the Turnpike Commission, I have never once heard the statement that the Lehigh Valley Tunnel project should be in phase A. The Turnpike Commission officials have never relayed that information to me. They were satisfied with those projects in phase A.

Secondly, Mr. Speaker, I might add that not once did any member of the delegation from Lehigh approach me concerning amending the conference committee report to place the tunnel in category A or amending the bill on the floor of the House to place the Lehigh Valley Tunnel in phase A. It was only within the last 2 weeks, Mr. Speaker, that their indication came to me that they wanted to amend the bill to place the Lehigh Valley Tunnel in phase A.

Mr. Speaker, I think that the hour is too late. I think too much consideration has gone into which projects should be in phase A. I respect the gentleman's argument, but, Mr. Speaker, I cannot agree with Mr. Afflerbach's argument, and I urge a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

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Baldwin  Dorr  McClatchy  Semmel
Barley  Durham  McVerry  Scafati
Battisto  Fattah  McClellan  Showsers
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Boyce  Gantion  Mowery  Swift
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Burt  George  Noye  Taylor, J. J.
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Caltagirone  Godshall  Perzel  Tigue
Carlson  Gruppo  Phillips  Vrean
Cawley  Haagery  Piccola  Wambach
Cesar  Hasty  Pins  Wass
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The SPEAKER. For the second time on the Semmel amendment, the Chair recognizes the gentleman, Mr. Pratt.

Mr. PRATT. Mr. Speaker, I could not allow my good friend and colleague, Mr. Afflerbach, to make those statements without some sort of rebuttal.

Mr. Speaker, I have been involved in this type of legislation in one form or another for the past 2 years, and during my many conversations with the Turnpike Commission, I have never once heard the statement that the Lehigh Valley Tunnel project should be in phase A. The Turnpike Commission officials have never relayed that information to me. They were satisfied with those projects in phase A.

Secondly, Mr. Speaker, I might add that not once did any member of the delegation from Lehigh approach me concerning amending the conference committee report to place the tunnel in category A or amending the bill on the floor of the House to place the Lehigh Valley Tunnel in phase A. It was only within the last 2 weeks, Mr. Speaker, that their indication came to me that they wanted to amend the bill to place the Lehigh Valley Tunnel in phase A.

Mr. Speaker, I think that the hour is too late. I think too much consideration has gone into which projects should be in phase A. I respect the gentleman's argument, but, Mr. Speaker, I cannot agree with Mr. Afflerbach's argument, and I urge a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

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Clymer  Honaman  Reber  Wright, J. L.
Cornell  Jackson  Rieger  Wright, R. C.
Coslet  Johnson  Robbels  Yandrisevits
The question was determined in the affirmative, and the amendments were agreed to.

REMARKS ON VOTE

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

Mr. COY. Mr. Speaker, on amendment A0198 to HB 1, it was incorrectly 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.

CONSIDERATION OF HB 1 CONTINUED

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

MOTION TO RECONSIDER AMENDMENT A0183

The SPEAKER. The Chair has before it a motion signed by the gentleman from Lawrence, Mr. Pratt, and the gentleman from Beaver, Mr. Colafella, who move that the vote by which the Bruce Smith amendment A0183 was passed by this House on the 12th day of February be reconsidered.

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

MOTION WITHDRAWN

The SPEAKER. The Chair recognizes the gentleman from Lawrence, Mr. Pratt.
Mr. LAUGHLIN. Mr. Speaker, earlier in the week last week I had sent out to the members of the House two bills dealing with distressed communities across the State. Mr. Speaker, up until this time we have received approximately 40-some sponsors for the bill. There are a number of members who have indicated an interest in signing the bills.

What they do is provide for the secretaries of the departments to be able to make a decision on granting exemption for matching funds for your communities that are distressed.

Those members who have not signed who wish to, the bills will be placed over at the desk of the clerk. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY MR. RICHARDSON

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Richardson, to make an announcement.

Mr. RICHARDSON. Thank you, Mr. Speaker.

Mr. Speaker, I would like to also announce that there is the urban homesteading bill presently sitting on the desk. For any member who has not signed that as of yet, you will remember that in last year’s session it was HB 355 that passed this House 199 to 0. I am asking those who have not signed onto the bill that it is still sitting up front at the desk. Please sign onto it, the urban homesteading bill. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

BILL RECOMMENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that HB 171, PN 309, be recommitted to the Committee on Appropriations for a fiscal note.

On the question.

Will the House agree to the motion?

Motion was agreed to.

REMARKS ON VOTE

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

Mr. BUNT. On final passage of HB 32 I am not recorded as being in the affirmative as I wish to be. I wish to be recorded in the affirmative.

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

BILL PASSED OVER

The SPEAKER. Without objection, the remaining bill on today’s calendar will be passed over. The Chair hears none.
The SPEAKER. There being no further business to be brought before this day's session, the Chair recognizes the gentleman from Venango, Mr. Black.

Mr. BLACK. Mr. Speaker, I move that this House do now adjourn until Wednesday, February 13, 1985, at 11 a.m., e.s.t., unless sooner recalled by the Speaker.

On the question,
Will the House agree to the motion?
Motion was agreed to, and at 6:19 p.m., e.s.t., the House adjourned.