

Legislative Journal

MONDAY, JUNE 16, 1969

Session of 1969

153rd of the General Assembly

Vol. 1, No. 44

HOUSE OF REPRESENTATIVES

The House convened at 3 p.m., e.d.t.

THE SPEAKER PRO TEMPORE (Robert K. Hamilton) IN
THE CHAIR

PRAYER

REVEREND JOHN A. WHITE, pastor of Mount Zion Baptist Church, chaplain of the Philadelphia Police Department and guest chaplain, offered the following prayer:

Let us pray.

Eternal God, our Father, we come again on this day to thank Thee for life, to thank Thee for fortune of health and strength. We pray, O God, that Thou will bless this great Commonwealth of ours.

Bless this House as it goes into its deliberations. We pray that Thou will be with them. Bless us as we further wait on Thee. These blessings we ask in Thy name. Amen.

JOURNALS APPROVED

The SPEAKER pro tempore. Are there any corrections to the Journals of April 15, 16, 21, 22, 28 and 29, 1969?

If not, and without objection, the Journals are approved.

JOURNAL APPROVAL POSTPONED

The SPEAKER pro tempore. Without objection, approval of the Journal for Tuesday, June 10, 1969, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

By Messrs. NICHOLSON, HETRICK, STAUFFER,
PERRY, MEBUS, DAGER, BUTERA, BEREN, YOHN
and McCLATCHY **HOUSE BILL No. 1287**

An Act amending the "Dog Law of 1965," approved December 22, 1965 (P. L. 1124), increasing certain fees; requiring county treasurers to forward a copy of the application to the Department of Revenue and requiring it to send new applications to certain owners.

Referred to Committee on Rules.

By Messrs. FINEMAN, IRVIS and PRENDERGAST
HOUSE BILL No. 1288

An Act making Penn. the official abbreviation for Pennsylvania as it is applied to this Commonwealth and providing for its official use.

Referred to Committee on Rules.

By Messrs. GLEESON, J. JOHNSON, BARBER,
WOJDAK, PEZAK, BELOFF and RUGGIERO
HOUSE BILL No. 1289

An Act requiring pharmacists to fill prescriptions with

generic name drugs in certain cases and providing for penal damages and suspension of licenses.

Referred to Committee on Rules.

By Messrs. GLEESON, J. JOHNSON, BARBER,
WOJDAK, PEZAK and BELOFF

HOUSE BILL No. 1290

An Act requiring physicians to prescribe drugs by generic names for patients in State-owned or State-supported hospitals and providing for penal damages and suspension of licenses.

Referred to Committee on Rules.

By Messrs. LAUDADIO, SNARE, W. W. WILT,
KENNEDY, R. E. WILT, R. W. WILT
and HALVERSON **HOUSE BILL No. 1291**

An Act amending the "Air Pollution Control Act," approved January 8, 1960 (P. L. 2119), conferring upon the Air Pollution Commission the power to recommend performance and specification standards for emission control systems on motor vehicles and providing the department with the power to evaluate motor vehicle emission programs.

Referred to Committee on Rules.

By Messrs. LAUDADIO, SNARE, W. W. WILT,
KENNEDY, R. W. WILT, R. E. WILT
and HALVERSON **HOUSE BILL No. 1292**

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), providing for the inspection of emission control systems and devices on motor vehicles and making the removal of such emission control devices from any vehicle unlawful and providing a penalty.

Referred to Committee on Rules.

By Messrs. BENNETT, KOLTER, R. O. DAVIS
and DWYER **HOUSE BILL No. 1293**

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30), deleting references to attendance officers and further providing for home and school visitors.

Referred to Committee on Rules.

By Messrs. ZORD, BAIR and R. E. WILT
HOUSE BILL No. 1294

An Act amending the "Motor Vehicle Sales Finance Act," approved June 28, 1947 (P. L. 1110), further regulating insurance.

Referred to Committee on Rules.

By Messrs. QUILLES, RIEGER, SHELTON, TAYOUN,
VANN, FRANCIS LYNCH, Mrs. KELLY,
Messrs. BARBER, RUSH, MELTON, LAWSON,
COPPOLINO, NOLAN, O'DONNELL, GLEESON,
STEELE, SCHMITT and PERRY
HOUSE BILL No. 1295

An Act amending "The Administrative Code of 1929," ap-

proved April 9, 1929 (P. L. 177), authorizing the Department of Property and Supplies to purchase, out of moneys appropriated to it, hospitalization insurance for all members and employes of the Pennsylvania State Police.

Referred to Committee on Rules.

By Messrs. SHUMAN, BITTLE and FULMER

HOUSE BILL No. 1296

An Act authorizing the Department of Property and Supplies, with approval of the Governor, to convey a tract of land in the Township of Quincy, County of Franklin and Commonwealth of Pennsylvania, to the Pennsylvania State University.

Referred to Committee on Rules.

By Messrs. KAILE, LAUDADIO, DWYER, RENWICK, W. W. WILT, MOORE, CLAYPOOLE, R. W. WILT, R. E. WILT and FISCHER

HOUSE BILL No. 1297

An Act amending the "Bituminous Coal Open Pit Mining Conservation Act," approved May 31, 1945 (P. L. 1198), further regulating planting after operation has been back-filled.

Referred to Committee on Rules.

By Messrs. SCHMITT, TAYLOR, RUSH, PIEVSKY, STEELE, HUTCHINSON, SALOOM, LAUDADIO, STEMLER, QUILS, PEZAK, BELLOMINI, TAYOUN, HOPKINS, KOLTER, R. K. HAMILTON, WALSH, Mrs. ANDERSON, Messrs. CROWLEY and POLASKI

HOUSE BILL No. 1298

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), providing for a rebate on the price paid by the board for alcohol or liquor.

Referred to Committee on Rules.

By Mr. SELTZER

HOUSE BILL No. 1299

An Act making an appropriation to the State Treasurer for the purpose of paying salaries and wages of State officers and employes and other ordinary and general expenses in the interim between June 30, 1969 and such time as the funds provided by the General Appropriation Act and other appropriation acts become available.

Referred to Committee on Rules.

By Mr. SELTZER

HOUSE BILL No. 1300

An Act making appropriations to the Department of Public Welfare and providing for certain allocations therefor for the purpose of carrying out the Public Assistance Law for the year beginning July 1, 1969 and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on June 30, 1969.

Referred to Committee on Rules.

By Mr. SELTZER

HOUSE BILL No. 1301

An Act making an appropriation to the Department of Public Instruction for the purpose of payments of subsidies to school districts for the fiscal year beginning July 1, 1969 and for the payment of subsidies accrued or incurred prior to and remaining unpaid on June 30, 1969.

Referred to Committee on Rules.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 300

An Act amending the act of July 6, 1961 (P. L. 515),

entitled, as amended, "An act authorizing the Governor to provide for disaster relief under certain circumstances; . . ." further defining emergencies and disasters and providing more direct authority for the use and transfer of funds to be expended in disaster relief and to meet emergency conditions.

Referred to Committee on Rules.

SENATE BILL No. 628

An Act amending the compact contained in the act of June 5, 1937 (P. L. 1664), entitled "An act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development, use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational and park purposes," changing provisions relating to the operation of motor boats.

Referred to Committee on Rules.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

By Messrs. MURPHY, HEADLEE, HALVERSON, FRYER, TIBERI, Mrs. CRAWFORD, Messrs. PARKER, SHUMAN, FRANK, SHELHAMER, NEEDHAM, WISE, Mrs. KELLY, Messrs. FOOR, HETRICK, R. W. WILT, WESTERBERG, T. JOHNSON, FOX, MALADY, MOORE and BENNETT

RESOLUTION No. 106

Requesting Governor Shafer to set aside one Sunday in July as a day for citizens to renew their faith in God and country by offering prayers for peace and displaying the American Flag in the appropriate fashion.

Referred to Committee on Rules.

By Messrs. FINEMAN, IRVIS and PRENDERGAST

(Concurrent) RESOLUTION No. 107

Memorializing United States Congress to defer any further consideration of Federal legislation affecting or limiting the authority of States to develop their own tax structures and tax administration in order to give this Legislature, as well as the Legislatures of other States, the time and opportunity to explore fully the problems and issues raised concerning multi-state taxation and take appropriate and considered action thereon.

Referred to Committee on Rules.

GIRL SCOUTS WELCOMED

The SPEAKER pro tempore. The Chair at this time would like to take notice of a group in the gallery. They are 26 Girl Scouts from Troop No. 580, Lehighton, Carbon County, Pennsylvania.

The scouts are here with their leaders, Mrs. Andrew Ovsak and Mrs. Richard Kromer. They are the guests of the gentleman from Carbon, Mr. Scmanoff.

COMMUNICATION FROM GOVERNOR

The Secretary to the Governor being introduced, presented the following communication in writing from His Excellency, the Governor, which was read:

APPROVAL OF HOUSE BILLS Nos. 76, 163, 189 and 205.

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

June 12, 1969.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 78, printer's No. 94, entitled "An Act amending the act of November 25, 1968 (Act No. 338), entitled 'An act authorizing the Department of Property and Supplies, with the approval of the Governor and the Secretary of Highways to convey 1,232 acres, more or less, of land situate in the Borough of Clarion, Clarion County to the Borough of Clarion,' increasing the quantum of land authorized to be conveyed."

RAYMOND P. SHAFER
GOVERNOR

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

June 12, 1969.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 163, printer's No. 185, entitled "An Act amending the act of May 28, 1915 (P. L. 596), entitled 'An act requiring cities of the second class to establish a pension fund for employes of said cities, and regulating the administration and the payment of such pensions,' providing for increases in the pensions of certain beneficiaries."

RAYMOND P. SHAFER
GOVERNOR

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

June 12, 1969.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 189, printer's No. 211, entitled "An Act authorizing the Department of Property and Supplies, with the approval of the Governor, to convey 1.84 acres, more or less, of land situate in the Borough of Danville, Montour County to Greater Danville Area Industrial Development Corporation."

RAYMOND P. SHAFER
GOVERNOR

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

June 16, 1969.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House bill No. 205, printer's No. 237, entitled "An Act amending the act of April 9, 1929 (P. L. 177), entitled 'The Administrative Code of 1929,' making an editorial change."

RAYMOND P. SHAFER
GOVERNOR

STATEMENT BY SPEAKER

The SPEAKER pro tempore. The Chair would like to give notice that when the members are signing House resolutions, citations and reports of committee that they are not signing their seat numbers at the time they sign their names.

It would be of great facility to those who are handling our history and taking care of the other important matters of the House if each man, when he does sign his name, would also sign his seat number for verification.

The Chair thanks the members of the House.

LEAVES OF ABSENCE

Mr. PRENDERGAST. Mr. Speaker, I request leaves of absence for Messrs. O'DONNELL, GREENFIELD and POLASKI for today, and for Messrs. FENRICH, MARTINO and MULLEN for the week.

Mr. SELTZER. Mr. Speaker, I request leaves of absence for Messrs. DeJOSEPH and THOMAS for today.

MASTER ROLL CALL

The SPEAKER pro tempore. The Chair is about to take up the business of today's master roll call. Members will indicate their presence by voting "aye."

The roll was taken and was as follows:

Alexander	Gallen	Lynch, Frank	Savitt
Allen, F. M.	Geesey	Malady	Scanlon
Allen, W. W.	Gcizler	Manbeck	Schmitt
Anderson, J. H.	Cckes	Mandertino	Seltzer
Anderson, S. A.	Gelfand	McAnany	Sernanoff
Appleton	George	McClatchy	Shelhamer
Bachman	Gillette	McCurdy	Shelton
Bair	Gloeson	McGraw	Sherman
Barber	Gola	McMonagle	Shuman
Bellomini	Good	Mebus	Shupnik
Beloff	Goodman	Meholchick	Silverman
Bennett	Gring	Mellon	Slack
Beren	Gross	Mifflin	Smith
Berkos	Halverson	Miller, M. E.	Snaro
Berson	Hamilton, J. H.	Miller, P. W.	Spencer
Bittie	Hamilton, R. K.	Moore	Stauffer
Bixler	Harder	Moscrip	Steckel
Blair	Haugenshield	Murphy	Steele
Bonetto	Hayes	Murtha	Stenmiller
Bossert	Headlee	Musto	Stone
Brunner	Hepford	Needham	Sullivan
Burkardt	Hetrick	Nicholson	Taylor
Bush	Hill	Nitrauer	Tayoun
Butera	Holman	Nolan	Tiberti
Caputo	Homer	Novak	Torak
Claypoole	Hopkins	O'Brien, B.	Valicenti
Comer	Horner	O'Brien, F.	Vann
Coppolino	Hutehinson	O'Connell	Walsh
Crawford	Irlis	O'Pake	Wansacz
Crowley	Johnson, G.	Pancost	Wargo
Dager	Johnson, J.	Parker	Weidner
Davis, D.	Johnson, T.	Perry	Westerberg
Davis, H.	Kable	Pezak	Wilson
DeMedio	Kaufman	Plevsky	Wilt, R. E.
Dininni	Kelly	Piper	Wilt, R. W.
Donaldson	Kennedy	Pittenger	Wilt, W. W.
Dorsey	Kernaghan	Prendergast	Wise
Dwyer	Kester	Quillo	Wojdak
Eckensberger	Kistler	Reininger	Worley
Engelhart	Kolter	Renwick	Worrlow
Eshback	Kowalskyshyn	Reynolds	Wright
Fee	Kury	Rieger	Yahner
Fischer	LaMarca	Ritter	Yohn
Foor	Laudadio	Ruane	Zearfoss
Fox	Lawson	Ruggiero	Zimmerman
Frank	Lee	Rush	Zord
Fryer	Lehr	Ryan	
Fulmer	Lutty	Rybak	
Gallagher	Lynch, Francis	Saloom	Fineman, Speaker

The SPEAKER pro tempore. One hundred ninety-four members having indicated their presence, a master roll is established.

COMMITTEE MEETING

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

Mr. COMER. Mr. Speaker, I would like to call a meeting immediately in the rear of the House for the State Government Committee.

The SPEAKER pro tempore. The Chair hears no objection.

The gentleman may have his meeting for the Committee on State Government at the rear of the hall of the House.

Will the members of the Committee on State Government please proceed to the meeting and dispatch the business of the committee?

THE SPEAKER (Herbert Fineman) IN THE CHAIR

AUSTRALIAN NAVAL OFFICER WELCOMED

The SPEAKER. The Chair would like to introduce to the members of the House today a visitor from the Royal Australian Navy, Lieutenant Mike Higgins, who is an officer on Destroyer HMS Perth. Lieutenant Higgins is a resident of Brisbane, Australia. He is here as the guests of the gentleman from Northumberland, Mr. Kury, and other legislators who occupy Room 618.

SPECIAL ORDER OF BUSINESS

The SPEAKER. The Chair wants to bring to the attention of the members of the House that, without objection, in order to expedite the printing of bills to be amended and in order to meet printing deadlines, we are going to call bills out of order so amendments may be introduced and either adopted or not adopted, so that the printer may proceed with the business of getting bills before the members in amended form.

CALENDAR

BILL ON FIRST CONSIDERATION

Agreeable to order,

The House proceeded to first consideration of **House bill No. 731, printer's No. 1561, entitled:**

An Act making appropriations to the Pennsylvania Higher Education Assistance Agency to provide scholarships and educational assistance grants, to provide funds for lender participation incentives, to provide funds for the purpose of assisting approved institutions of higher learning in securing Federal funds for financial aid to students and to administer the agency and otherwise carry out the provisions of the act of August 7, 1963 (P. L. 549), and the act of January 25, 1968 (P. L. 1546).

Said bill was considered the first time and agreed to.

BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 323, printer's No. 1369, entitled:**

An Act amending the act of June 28, 1935 (P. L. 477), entitled, as amended, "An act providing for the payment of the salary, medical and hospital expenses of members of the State Police Force, of the enforcement officers and investigators employed by the Pennsylvania Liquor Control Board and the parole agents, enforcement officers and investigators of the Pennsylvania Board of Parole, members of the Delaware River Port Authority police and of policemen, firemen and park guards by the Commonwealth of Pennsylvania, the Delaware River Port Authority, counties, cities, boroughs, towns and townships who are injured in the performance of their duty; and providing that absence during such injury shall not reduce any usual sick leave period," including within the act certain additional cases of tuberculosis of the respiratory system.

On the question,

Will the House agree to the bill on second consideration?

Mr. CAPUTO requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Title, page 1, next to last line of title, by striking out "certain additional cases of" and inserting: any

Amend Sec. 1 (Sec. 1), page 3, lines 14 and 19, by inserting a bracket before "and" in line 14 and after "fireman," in line 19

Amend Sec. 1 (Sec. 1), page 3, lines 19 to 21, by striking out "tuberculosis of the" in line 19 and all of lines 20 and 21

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Caputo. The Chair understands this amendment is not contested. Is that correct?

Mr. CAPUTO. Mr. Speaker, I spoke to the minority leader. I have not had an answer on it, but this amendment was made at his suggestion. I believe there should be no controversy about it.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question recurring,

Will the House agree to the bill on second consideration?

Mr. SHELHAMER requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Title, page 1, next to last line of Title, by inserting after "certain": injuries occurring while not on duty and certain

Amend Sec. 1 (Sec. 1), page 2, line 13, by inserting after "police,"; or who is injured while not on duty as a result of a battery, committed upon his person by another,

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

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

It was agreed to.

Ordered, That the bill as amended be prepared for third consideration.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 842, printer's No. 982, entitled:**

An Act amending "The Local Tax Enabling Act," approved December 31, 1965 (P. L. 1257), removing the State licensees exemption from taxation.

On the question,

Will the House agree to the bill on second consideration?

Mr. CAPUTO requested and obtained unanimous consent to offer the following amendment, which was read:

Amend Sec. 1, (Sec. 3), page 2, line 8 by inserting after "Commonwealth"; except regulation or supervision by the Department of Banking,

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

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

It was agreed to.

Ordered, That the bill as amended be prepared for third consideration.

Agreeable to order,

The House proceeded to second consideration of **Senate bill No. 48, printer's No. 48**, entitled:

An Act amending the act of May 31, 1933 (P. L. 1108), entitled "An act providing for the appointment, promotion, reduction, removal and reinstatement of paid officers, firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureaus of electricity in cities of the second and third class; . . ." removing certain residence requirements.

On the question,

Will the House agree to the bill on second consideration?

Mr. GEKAS requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Title, page 1, last line of Title by striking out "removing" and inserting: authorizing council to change Amend Sec. 1 (Sec. 4), page 2, line 2 by inserting a bracket after "Each" and inserting immediately thereafter: Unless otherwise provided by action of city council, each

Amend Sec. 1 (Sec. 4), page 2, line 4 by striking out the bracket after "application."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

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

It was agreed to.

Ordered, That the bill as amended be prepared for third consideration.

BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of **House bill No. 128, printer's No. 150**, entitled:

An Act relating to the Philadelphia Municipal Court.

On the question,

Will the House agree to the bill on third consideration?

Mr. COPPOLINO requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Sec. 7, page 2, line 27, by removing the period after "sheriff" and inserting: or writ servers appointed by the municipal court.

Amend Sec. 7, page 3, line 1, by inserting after "sheriff": Service by writ servers appointed by the municipal court shall be as conclusive as a sheriff's service.

Amend Sec. 9, page 3, line 15, by striking out "which" and inserting: or other writ server. Service of initial process shall be five dollars (\$5.00). All other fees of the sheriff or other writ server

Amend Bill, page 3, by inserting between lines 18 and 19: Section 10. The court, upon cause shown, may in a proper case waive payment of filing fees for the commencement of the action or other costs.

Amend Sec. 10, page 3, line 19, by striking out "10." and inserting: 11.

Amend Sec. 11, page 3, line 27, by striking out "11." and inserting: 12.

Amend Sec. 12, page 3, line 29, by striking out "12." and inserting: 13.

Amend Sec. 13, page 4, line 3, by striking out "13." and inserting: 14.

Amend Sec. 14, page 4, line 7, by striking out "14." and inserting: 15.

Amend Sec. 15, page 4, line 9, by striking out "15." and inserting: 16.

Amend Sec. 16, page 4, line 15, by striking out "16." and inserting: 17.

Amend Sec. 17, page 4, line 18, by striking out "17." and inserting: 18.

Amend Sec. 18, page 4, line 22, by striking out "18." and inserting: 19.

Amend Sec. 18, page 4, line 23, by removing the period after "judgment" and inserting a colon

Amend Sec. 18, page 4, lines 23 to 26, by striking out "All de-" in line 23, all of lines 24 and 25 and "required." in line 26

Amend Sec. 19, page 4, line 28, by striking out "19." and inserting: 20.

Amend Sec. 20, page 5, line 1, by striking out "20." and inserting: 21.

Amend Sec. 21, page 5, line 2, by striking out "21." and inserting: 22.

Amend Sec. 21, page 5, line 3, by removing the period after "court" and inserting: including Sheriff's Interpleader Proceedings.

Amend Sec. 22, page 5, line 4, by striking out "22." and inserting: 23.

Amend Sec. 23, page 5, line 10, by striking out "23." and inserting: 24.

Amend Sec. 24, page 5, line 12, by striking out "24." and inserting: 25.

Amend Sec. 25, page 5, line 15, by striking out "25." and inserting: 26.

Amend Bill, page 5, by inserting between lines 22 and 23: Section 27. The president judge of the municipal court shall appoint as writ servers of the municipal court such number of individuals as shall be necessary to serve civil and criminal process issuing out of said court. Such officers shall possess such qualifications as the judge of the municipal court shall prescribe. The writ servers shall serve at the pleasure of the president judge of the municipal court. As compensation for their services, such writ servers shall receive the fees provided in this act.

Amend Sec. 26, page 5, line 23, by striking out "26." and inserting: 28.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

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

It was agreed to.

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 129, printer's No. 151**, entitled:

An Act providing for the Traffic Court of Philadelphia.

On the question,

Will the House agree to the bill on third consideration?

Mr. COPPOLINO requested and obtained unanimous consent to offer the following amendment, which was read:

Amend Sec. 8, page 3, line 5 by inserting after "clerk": Each judge of the traffic court shall be entitled to appoint one clerk to assist him with his work.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

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

It was agreed to.

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 190, printer's No. 212**, entitled:

An Act relating to the conducting, staging, managing,

operating and engaging in motion picture exhibitions and sport, musical, theatrical and dramatic performances, exhibitions and contests on Sundays and providing for a referendum in connection therewith in municipalities and townships and the suspension of certain laws.

On the question,

Will the House agree to the bill on third consideration?

Mr. DININNI requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Sec. 2, page 2, lines 10 and 11 by striking out "retaining the suspension of all acts or parts of acts presently prohibiting" and inserting: the

Amend Sec. 2, page 2, line 17 by striking out "Yes," and inserting: "No"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

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

It was agreed to.

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 483, printer's No. 1404, entitled:**

An Act amending the "Public Welfare Code," approved June 13, 1967 (Act No. 21), further providing for eligibility for blind pensions.

On the question,

Will the House agree to the bill on third consideration?

Mr. RITTER requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Title, page 1, last line of title, by removing the period after "pensions" and inserting: and for reassessment of real property of blind persons.

Amend Sec. 1 (Sec. 506), page 2, line 19, by inserting after "blind.": The valuation of real property for the purposes of clause (4) shall not be increased by reason of reassessment, except to the extent that the real property has been actually enlarged or improved.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. RITTER requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Sec. 1 (Sec. 506), page 1, line 5 by inserting a bracket before "and"

Amend Sec. 1 (Sec. 506), page 1, line 9 by inserting a bracket after "pension"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. RITTER requested and obtained unanimous consent to offer the following amendment, which was read:

Amend Sec. 1 (Sec. 506), page 2, line 4, by inserting brackets before and after "five thousand dollars (\$5000)" and inserting immediately thereafter: seven thousand five hundred dollars (\$7,500)

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. RITTER requested and obtained unanimous consent to offer the following amendment, which was read:

Amend Sec. 1 (Sec. 506), page 2, line 19, by inserting after "blind.": Determination of the amount of an applicant's income shall exclude any increase in social security payments to him provided under Federal law and taking effect subsequent to January 1, 1968.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. GEESSEY requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Title, page 1, last line of Title by inserting after "eligibility": for public assistance and

Amend Sec. 1, page 1, line 1 by striking out "506" and inserting: 432

Amend Sec. 1, page 1, line 2 by inserting after "amended": by adding at the end thereof a new clause

Amend Bill, page 1, by inserting between lines 2 and 3: Section 432. Eligibility.—Except as hereinafter otherwise provided, and subject to the rules, regulations, and standards established by the department, both as to eligibility for assistance and as to its nature and extent, needy persons of the classes defined in clauses (1) and (2) of this section shall be eligible for assistance:

(7) Needy persons who have resided in the Commonwealth of Pennsylvania for less than one year immediately preceding the date of application shall, for the balance of such year, be granted assistance in an amount equal to the assistance they could have received in the state in which they last resided; but, the amount shall not exceed the maximum assistance otherwise provided in Pennsylvania.

Section 2. Section 506 of the act is amended to read:

Amend Sec. 2, page 2, line 20 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 York, Mr. Geesey.

Mr. GEESSEY. Mr. Speaker, the amendments are basically very simple. The only thing they seek to do is to say that if a person moves into the Commonwealth of Pennsylvania and has not resided in the Commonwealth for a period of one year and goes on the welfare rolls, he is paid at the rate of the State from which he came.

I think you all will agree that we have a very wide disparity of welfare payments existing in this nation. The only way we can ever truly resolve the welfare problem is to make certain that we have a national standard and that every State and the Federal Government pays its fair share. The basic purpose of this amendment is to point out the fact that the disparity is there and that it is a national problem. The only thing I would ask you to do is to seriously search your conscience and vote accordingly.

Thank you, Mr. Speaker.

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

Mr. RITTER. Mr. Speaker, I rise to oppose these amendments because I think this is an attempt to circum-

vent the Supreme Court's ruling which eliminated residence requirements for welfare recipients.

We may end up, if we adopt these amendments in the Commonwealth of Pennsylvania, with four, five or six different public assistance payments being made. We may have, in fact, people coming into this State who received more welfare in another State. These amendments would mean we would have to pay those people more than Pennsylvania residents receive. We would also have people coming into this State who are receiving less welfare payments in their particular State. They, in fact, would be getting less than Pennsylvania residents. It seems to me that this would be rank discrimination wherein we would have people who are getting assistance because they are needy and, in effect, would end up with three, four or five different sets of figures for different people.

I think it would be impractical to operate and to regulate. I think the amendments should be opposed.

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

Mr. GEESEY. I would like to correct the gentleman from Lehigh, if I may. There is a top in the amendment which states that in no event can anyone receive higher than the Pennsylvania maximum allowable payment.

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Pittenger.

Mr. PITTENGER. Mr. Speaker, I just want to join the gentleman from Lehigh, Mr. Ritter, in opposing this amendment, but for quite a different reason.

I think employees of the Department of Public Welfare have enough difficulty in figuring out what the payments ought to be under Pennsylvania law. If I understand the gentleman's amendment, it would require every employee or every caseworker in a public assistance office to understand the laws and regulations, not only of Pennsylvania, but of all 50 States, which strikes me as a perfectly preposterous requirement.

I would urge opposition to the amendment.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. GEESEY and PITTENGER and were as follows:

YEAS—106

Alexander	Fischer	Kernaghan	Ryan
Allen, E. M.	Poor	Kester	Saloom
Allen, W. W.	Fox	Kistler	Seltzer
Anderson, J. H.	Fryer	Kolter	Slack
Appleton	Fulmer	LaMarca	Smith
Bair	Gallen	Laudadio	Spare
Bennett	Geesey	Lee	Spencer
Bittle	Gekas	Leht	Staufner
Bixler	George	Lynch, Frank	Stackel
Blair	Gleason	Manderino	Taylor
Bossert	Gots	McClatchy	Tiberi
Brunner	Good	McCurdy	Torak
Burkardt	Goodman	Mebus	Walsh
Bush	Gring	Mifflin	Wansax
Butera	Halverson	Moore	Weidner
Claypoole	Hamilton, J. H.	Moscip	Westenberg
Coppolino	Harriser	Murphy	Wilson
Crawford	Haudenschild	Nicholson	Wilt, R. E.
Dager	Hayes	Nitzauser	Wilt, R. W.
Davis, D.	Hepford	O'Brien, B.	Wilt, W. W.
Davis, R.	Hill	O'Connell	Worley
DeMedio	Hopkins	O'Pake	Worrlow
Dininni	Horner	Parker	Wright
Donaldson	Hutchinson	Piper	Zearfoss
Dorsey	Johnson, G.	Reynolds	Zimmerman
Dwyer	Kahle	Ruane	Zord
Eshback	Kennedy		

NAYS—85

Anderson, S. A.	Hetrick	Musto	Sholhamer
Bachman	Holman	Needham	Shilton
Barber	Homer	Nolan	Sherman
Bellomini	Irvic	Novak	Shuman
Beren	Johnson, J.	O'Brien, F.	Shupnik
Berkcs	Johnson, T.	Pancost	Silverman
Borson	Kaufman	Perry	Steele
Bonetto	Kelly	Pezak	Stemmler
Caputo	Kowalshyn	Plevsky	Stone
Comer	Kury	Pittenger	Sullivan
Crowley	Lawson	Prendorgast	Tayoun
Eckensberger	Lutty	Quiles	Valicenti
Englehart	Lynch, Francis	Renninger	Vann
Fee	Malady	Renwick	Wargo
Frank	McAneny	Rieger	Wise
Gallagher	McGraw	Ritter	Wojdak
Gelsler	McMonagle	Ruggiero	Yahner
Gelfand	Meholchick	Rush	Yohn
Gillette	Melton	Rybak	
Gross	Miller, M. E.	Savitt	Fineman,
Hamilton, R. K.	Miller, P. W.	Scanlon	Speaker
Headlee	Murtha	Schmitt	

NOT VOTING—11

Beloff	Greenfield	Mullen	Semanoff
DeJoseph	Manbeck	O'Donnell	Thomas
Fenrich	Martino	Polaski	

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

On the question,

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

It was agreed to.

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 770, printer's No. 1373**, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053), eliminating the requirement that rates for public utility service furnished by the cities of the second class beyond their corporate limits be subject to regulation and control by the Public Utility Commission and providing a remedy for persons questioning rates.

On the question,

Will the House agree to the bill on third consideration?

Mr. CAPUTO requested and obtained unanimous consent of offer the following amendments, which were read:

Amend Title, page 2, line 12, by inserting after "rates": and other charges

Amend Title, page 2, line 13, by striking out "cities of the second class" and inserting: municipal corporations or their operating agencies in or

Amend Title, page 2, line 15, by inserting after "Commission": ; allowing such municipal corporations or their operating agencies to fix and collect rates and other charges for utility services furnished or rendered in areas served by them;

Amend Title, page 2, line 15, by removing the period after "rates" and inserting: or charges.

Amend Sec. 1 (Sec. 301), page 2, line 7, by inserting brackets before and after "Provided, That only public" and inserting immediately thereafter: . No public

Amend Sec. 1 (Sec. 301), page 2, line 9, by striking out "other than cities of the second class."

Amend Sec. 1 (Sec. 301), page 2, line 10, by striking out "other than cities of the second class."

Amend Sec. 1 (Sec. 301), page 2, lines 10 and 11, by inserting a bracket before "beyond" in line 10 and after "limits" in line 11 and inserting immediately thereafter: wherever so furnished or rendered

Amend Sec. 1 (Sec. 301), page 2, lines 12 and 13, by

inserting a bracket before "with" in line 12 and after "utility," in line 13

Amend Sec. 1 (Sec. 301), page 2, line 13, by striking out "Cities of the second class" and inserting: or other charges. All such municipal corporations or their operating agencies furnishing or rendering such utility services

Amend Sec. 1 (Sec. 301), page 2, line 15, by inserting after "facilities": both in and

Amend Sec. 1 (Sec. 301), page 2, line 18, by inserting after "RATE": or charge

Amend Sec. 1 (Sec. 301), page 2, lines 18 and 19, by striking out "city of the second class" and inserting: such municipal corporation or its operating agency

Amend Sec. 1 (Sec. 301), page 3, line 1, by inserting after "FACILITY": either in or

Amend Sec. 1 (Sec. 301), page 3, line 1, by striking out "THEIR" and inserting: its

Amend Sec. 1 (Sec. 301), page 3, line 2, by striking out "cities" and inserting: municipal corporation or its operating agencies

Amend Sec. 1 (Sec. 301), page 3, line 3, by striking out "city" and inserting: municipal corporation or its operating agencies.

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

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

It was agreed to.

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

Agreeable to order,

The House proceeded to third consideration of **House bill No. 1012, printer's No. 1415**, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), imposing mandatory terms of imprisonment for second or subsequent convictions of selling without a license.

On the question,

Will the House agree to the bill on third consideration?

Mr. WARGO requested and obtained unanimous consent to offer the following amendment, which was read:

Amend Title, page 1, last line of title, by striking out "second" and inserting: third

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

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

It was agreed to.

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

BILLS ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 338, printer's No. 967**, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further regulating the issuance of restricted operators' licenses.

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMITTED

Mr. IRVIS moved that House bill No. 338 be recommitted to the Committee on Highway Safety.

The motion was agreed to.

Agreeable to order,

The House proceeded to second consideration of **House bill No. 471, printer's No. 777**, entitled:

An Act amending the act of June 28, 1895 (P. L. 408), entitled, as amended, "A Supplement to the twenty-fourth section of an act entitled 'An act to provide revenue by taxation approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section by providing for the payment by the State Treasurer of the two per centum tax on premiums paid by foreign fire insurance companies to the treasurers of the several cities, towns, townships and boroughs within this Commonwealth," further providing for the distribution of the tax.

On the question,

Will the House agree to the bill on second consideration?

MOTION TO RECOMMIT

Mr. IRVIS. I move that House bill No. 471, printer's No. 777, be recommitted to the Committee on Urban Affairs.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair recognizes the gentleman from Elk, Mr. Renwick.

Mr. RENWICK. Mr. Speaker, I oppose the recommitment of House bill No. 471 because I feel as the volunteer firemen do who came to me and asked me to sponsor this bill, that all it is is a clarifying amendment. House bill No. 471 and, of course the next bill, House bill No. 472, are the same thing. They specify the two percent payment you are allowed to get on the casualty insurance and the other one is on the life insurance.

I think there is nothing wrong with this bill. I certainly do not want to recommit it at this time. That is why I oppose it and I hope all of you will support me and the volunteer firemen who certainly are in need of this bill.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, there are certain bills on this calendar, and House bill No. 471 is one of them, which I am asking for recommitment to clear the calendar. They are bills which have problems involved, which apparently are not going to be resolvable either by an "aye" or a "nay" vote. We shall be back here to consider these measures at a later time. The recommitment does not mean that they are dead.

I do want to clear the calendar and House bill No. 471, and other bills which will be opposed for recommitment, happens to be one of the bills which I consider at this time that we should not move.

I, therefore, ask that the bill be recommitted and ask for an "aye" vote on the motion, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Elk, Mr. Renwick.

Mr. RENWICK. Mr. Speaker, may I interrogate the majority leader?

The SPEAKER. Will the majority leader permit himself to be interrogated?

Mr. IRVIS. I shall, Mr. Speaker.

Mr. RENWICK. Mr. Speaker, may I ask the majority leader exactly what objections he has to a minor bill such as this that we cannot pass it immediately?

The SPEAKER. The Chair would remind the gentleman that the debate before the House must be limited to the question of recommitment and not to the merits of the bill.

Mr. RENWICK. The reason that he said he was going to recommit it was because he had objections. I just wondered if he could tell us what they are.

Mr. IRVIS. Mr. Speaker, that is not so. I did not state my personal position whatsoever. I did not say I objected to it nor did I indicate how I would vote if it came for a vote. I stated that there were certain bills on the calendar with problems involved in them. The resolution of those problems, it did not seem to me, could be done on a vote of "aye" or "nay." Therefore, I was asking for the recommitment. I stand by that statement, Mr. Speaker.

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

The yeas and nays were required by Messrs. RENWICK and IRVIS and were as follows:

YEAS—62

Anderson, S. A.	Gleason	Melton	Savitt
Barber	Gross	Murphy	Scanlon
Bellomini	Halverson	Murtha	Shelton
Berkes	Hutchinson	Needham	Sherman
Berson	Irvis	O'Brien, F.	Shupnik
Bixler	Johnson, J.	Perry	Silverman
Blair	Johnson, T.	Pezak	Steele
Caputo	Kaufman	Plevsky	Sullivan
Comer	Kelly	Pittenger	Tayoun
Crowley	Kolter	Prendergast	Vann
Englehart	Kowalyszyn	Quiles	Wargo
Fee	Laudadio	Rieger	Wise
Frank	Lawson	Ritter	Wojdak
Gallagher	Lutty	Ruggiero	
Geisler	Lynch, Francis	Rush	Fineman,
Gelfand	McAneny	Rybak	Speaker

NAYS—131

Alexander	Fryer	Lehr	Seltzer
Allen, F. M.	Fulmer	Lynch, Frank	Semanoff
Allen, W. W.	Gallen	Malady	Shelhamer
Anderson, J. H.	Geesey	Manbeck	Shuman
Appleton	Gekas	Manderino	Slack
Bachman	George	McClatchy	Smith
Bair	Gillette	McCurdy	Snare
Beloff	Gola	McCraw	Spencer
Bennett	Good	McMonagle	Stauffer
Beren	Goodman	Mebus	Steckel
Bittle	Gring	Meholchick	Stemmler
Bonetto	Hamilton, J. H.	Miffin	Stone
Bossert	Hamilton, R. K.	Miller, M. E.	Taylor
Brunner	Harrier	Miller, P. W.	Tiberi
Burkardt	Haudenshield	Moore	Torak
Bush	Hayes	Moserip	Valicenti
Butera	Headlee	Musto	Walsh
Claypoole	Hepford	Nicholson	Wansacz
Coppolino	Hetrick	Nitauer	Weidner
Crawford	Hill	Nolan	Westerberg
Dager	Holman	Novak	Wilson
Davis, D.	Homer	O'Brien, B.	Wilt, R. E.
Davis, R.	Hopkins	O'Connell	Wilt, R. W.
DeMedio	Horner	Pancoast	Worley
Dininni	Johnson, G.	Parker	Worltlow
Donaldson	Kahle	Piper	Wright
Dorsey	Kennedy	Renninger	Yahner
Dwyer	Kernaghan	Renwick	Yohn
Eckensberger	Kester	Reynolds	Zesars
Eshbeck	Kistler	Rhane	Zimmerman
Fischer	Kury	Ryan	Zord
Foor	LaMarca	Saloom	
Fox	Lee	Schmitt	

NOT VOTING—9

DeJoseph	Martino	O'Donnell	Polaski
Fenrich	Mullen	O'Pake	Thomas
Greenfield			

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

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

Agreeable to order,
The House proceeded to second consideration of House bill No. 472, printer's No. 778, entitled:

An Act amending the act of May 12, 1943 (P. L. 259), entitled, as amended, "An act providing for the payment by the State Treasurer of the amount of the tax on premiums paid by foreign casualty insurance companies " " " further providing for the distribution of the tax.

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

MOTION TO RECOMMIT

Mr. IRVIS. I move to recommit House bill No. 472, printer's No. 778, to the Committee on Urban Affairs.

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

The SPEAKER. The Chair recognizes the gentleman from Elk, Mr. Renwick.

Mr. RENWICK. Mr. Speaker, I oppose recommitment for the same reason that we had on House bill No. 471. I ask everyone to oppose this motion to recommit.

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

The yeas and nays were required by Messrs. RENWICK and IRVIS and were as follows:

YEAS—62

Anderson, S. A.	Gleason	Melton	Savitt
Barber	Gross	Murphy	Scanlon
Bellomini	Halverson	Murtha	Shelton
Berkes	Hutchinson	Needham	Sherman
Berson	Irvis	O'Brien, F.	Shupnik
Bixler	Johnson, J.	Perry	Silverman
Blair	Johnson, T.	Pezak	Steele
Caputo	Kaufman	Plevsky	Sullivan
Comer	Kelly	Pittenger	Tayoun
Crowley	Kolter	Prendergast	Vann
Englehart	Kowalyszyn	Quiles	Wargo
Fee	Laudadio	Rieger	Wise
Frank	Lawson	Ritter	Wojdak
Gallagher	Lutty	Ruggiero	
Geisler	Lynch, Francis	Rush	Fineman,
Gelfand	McAneny	Rybak	Speaker

NAYS—131

Alexander	Fryer	Lehr	Seltzer
Allen, F. M.	Fulmer	Lynch, Frank	Semanoff
Allen, W. W.	Gallen	Malady	Shelhamer
Anderson, J. H.	Geesey	Manbeck	Shuman
Appleton	Gekas	Manderino	Slack
Bachman	George	McClatchy	Smith
Bair	Gillette	McCurdy	Snare
Beloff	Gola	McCraw	Spencer
Bennett	Good	McMonagle	Stauffer
Beren	Goodman	Mebus	Steckel
Bittle	Gring	Meholchick	Stemmler
Bonetto	Hamilton, J. H.	Miffin	Stone
Bossert	Hamilton, R. K.	Miller, M. E.	Taylor
Brunner	Harrier	Miller, P. W.	Tiberi
Burkardt	Haudenshield	Moore	Torak
Bush	Hayes	Moserip	Valicenti
Butera	Headlee	Musto	Walsh
Claypoole	Hepford	Nicholson	Wansacz
Coppolino	Hetrick	Nitauer	Weidner
Crawford	Hill	Nolan	Westerberg
Dager	Holman	Novak	Wilson
Davis, D.	Homer	O'Brien, B.	Wilt, R. E.
Davis, R.	Hopkins	O'Connell	Wilt, R. W.
DeMedio	Horner	Pancoast	Worley

Dinnini	Johnson, G.	Parker	Worley
Donaldson	Kable	Piper	Worriolow
Dorsey	Kennedy	Renninger	Wright
Dwyer	Kernaghan	Renwick	Yahner
Eckensberger	Kester	Reynolds	Yohn
Eshback	Kistler	Ruane	Zearfoss
Fischer	Kury	Ryan	Zimmerman
Foor	LaMarca	Saloom	Zord
Fox	Lee	Schmitt	

NOT VOTING—9

DeJoseph	Martino	O'Donnell	Polaski
Fenrich	Mullen	O'Pake	Thomas
Greenfield			

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

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

Agreeable to order,
The House proceeded to second consideration of House bill No. 551, printer's No. 638, entitled:

An Act amending the act of June 28, 1895 (P. L. 408), entitled, as amended, "A supplement to the twenty-fourth section of an act, entitled 'An act to provide revenue by taxation, approved the seventh day of June, one thousand eight hundred and seventy-nine,' approved the first day of June, one thousand eight hundred and eighty-nine, amending the twenty-fourth section, * * *" further providing for the designation of the insured property on the policy.

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

MOTION TO RECOMMIT

Mr. IRVIS. I move to recommit House bill No. 551, printer's No. 638, to the Committee on Consumer Protection.

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

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

Mr. KESTER. Mr. Speaker, I rise to oppose the recommitment of House bill No. 551 basically on the same grounds as the gentleman from Elk, Mr. Renwick, in that this bill will do something for most of the volunteer fire companies.

The SPEAKER. The gentleman is out of order. He should confine his remarks to the question of recommitment.

Mr. KESTER. All right, Mr. Speaker. The recommitment of this bill would keep the status quo as it is today in the disbursement of the two-percent foreign fire casualty insurance.

Recommitment of this bill would then oppose something that the volunteer fire companies of this Commonwealth—

The SPEAKER. The gentleman is out of order. Would the gentleman yield?

Mr. KESTER. Yes, Mr. Speaker.

The SPEAKER. The gentleman will please confine his remarks to the question of recommitment and not to the merits of the bill.

Mr. KESTER. I am speaking to the recommitment, Mr. Speaker. I am telling the House what recommitment of this bill will do.

The SPEAKER. The Chair has ruled that the gentleman is out of order. The Chair would respectfully solicit the gentleman not to pursue the line of conversation any further.

Mr. KESTER. All right, Mr. Speaker, I will not argue with you today. It is late in the afternoon.

I would oppose recommitment on the same grounds as before and ask each member in the House to vote "no."

The SPEAKER. The Chair thanks the gentleman.

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

The yeas and nays were required by Messrs. KESTER and IRVIS and were as follows:

YEAS—70

Anderson, S. A.	Geister	Lynch, Francis	Rush
Barber	Gelfand	McAnany	Rybak
Bellomini	Gleeson	McDon	Savitt
Bennett	Goodman	Miller, P. W.	Scanlon
Berkos	Gross	Murphy	Shelton
Berson	Hutchinson	Murtha	Sherman
Bixler	Irvis	Needham	Shupnik
Blair	Johnson, J.	O'Brien, B.	Silverman
Brunner	Johnson, T.	O'Brien, F.	Steele
Caputo	Kaufman	Perry	Sullivan
Comer	Kelly	Pezak	Tayoun
Crowley	Kolter	Pievsky	Vann
DeMedio	Kowalshyn	Pittenger	Wargo
Engelhart	Kury	Prendergast	Wise
Fee	LaMarca	Quiles	Wojdak
Frank	Laodadio	Rieger	
Fryer	Lawson	Ritter	Fineman, Speaker
Gallagher	Lutty	Ruggiero	

NAYS—121

Alexander	Gallen	Lynch, Frank	Sernanoff
Allen, F. M.	Geesey	Malady	Shelhamer
Allen, W. W.	Gekas	Manbeck	Shuman
Anderson, J. H.	George	Manderino	Stack
Appleton	Gillette	McClatchy	Smith
Bachman	Gola	McCurdy	Snare
Bair	Good	McGraw	Spencer
Beloff	Cring	McMonagle	Stauffer
Bern	Halverson	Mebus	Steckel
Bittie	Hamilton, J. H.	Mcholchick	Stemmler
Boucetto	Hamilton, R. K.	Miffin	Stone
Bossert	Harriser	Miller, M. E.	Taylor
Burkardt	Haudenshield	Moore	Tiberi
Bush	Hayes	Moserip	Torak
Butera	Headlee	Musto	Walsh
Chyppoole	Hepford	Nicholson	Wansacz
Coppolino	Heitrick	Nitruer	Weldner
Crawford	Hill	Nolan	Westerberg
Dager	Holman	Novak	Wilson
Davis, D.	Homer	O'Connell	Wilt, R. E.
Davis, B.	Hopkins	Pancoast	Wilt, R. W.
Dinnini	Horner	Parker	Wilt, W. W.
Donaldson	Johnson, G.	Piper	Worley
Dorsey	Kable	Renninger	Worriolow
Dwyer	Kennedy	Renwick	Wright
Eckensberger	Kernaghan	Reynolds	Yahner
Eshback	Kester	Ruane	Yohn
Fischer	Kistler	Saloom	Zearfoss
Foor	Lee	Schmitt	Zimmerman
Fox	Lehr	Settzer	Zord
Fulmer			

NOT VOTING—11

DeJoseph	Martino	O'Pake	Thomas
Fenrich	Mullen	Polaski	Valicent
Greenfield	O'Donnell	Ryan	

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

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

Agreeable to order,
The House proceeded to second consideration of House bill No. 552, printer's No. 639, entitled:

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682), further providing for the contents of fire insurance contracts.

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

MOTION TO RECOMMIT

Mr. IRVIS moved that House bill No. 552, printer's No. 639, be recommitted to the Committee on Consumer Protection.

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

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Kester, who opposes the motion.
Mr. KESTER. Correct, Mr. Speaker.

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

The yeas and nays were required by Messrs. KESTER and IRVIS and were as follows:

YEAS—70

Anderson, S. A.	Gelfand	Melton	Rybak
Barber	Gleeson	Miller, P. W.	Savitt
Bellomini	Goodman	Murphy	Scanlon
Bennett	Flutehinson	Murtha	Shelton
Berkes	Irvis	Needham	Sherman
Berson	Johnson, J.	O'Brien, B.	Shupnik
Bixler	Johnson, T.	O'Brien, F.	Silverman
Brunner	Kaufman	O'Pake	Stacle
Caputo	Kelly	Perry	Sullivan
Comer	Kolter	Pezak	Tayoun
Crawley	Kowalshyn	Plevsky	Valicenti
DeMedio	Kury	Pittenger	Vann
Englehart	LaMarca	Prendergast	Wargo
Fee	Laudadio	Quiles	Wise
Frank	Lawson	Rieger	Wojdak
Fryer	Lutty	Ritter	
Gallagher	Lynch, Francis	Ruggiero	Fineman,
Geisler	McAneny	Rush	Speaker

NAYS—123

Alexander	Fulmer	Lynch, Frank	Sernanoff
Allen, P. M.	Gallen	Malady	Shelhamer
Allen, W. W.	Geesey	Manbeck	Shuman
Anderson, J. H.	Gekas	Mandacino	Slack
Appleton	George	McClatchy	Smith
Bachman	Gillette	McCurdy	Snare
Bair	Good	McGraw	Spencer
Beloff	Gring	McMonagle	Stauffer
Beren	Gross	Mebus	Steckel
Bittle	Halverson	Meholchick	Stommel
Blair	Hamilton, J. H.	Miffin	Stone
Bonetto	Hamilton, R. K.	Miller, M. E.	Taylor
Bossert	Harrier	Moore	Tiberi
Burkardt	Haudenshield	Moscrip	Torak
Bush	Hays	Musto	Walsh
Butera	Headlee	Nicholson	Wanssez
Claypoole	Hepford	Nitrauer	Weidner
Coppolino	Hetrick	Nolan	Westerberg
Crawford	Hill	Novak	Wilson
Dager	Holman	O'Connell	Wilt, R. E.
Davis, D.	Homer	Pancoast	Wilt, R. W.
Davis, R.	Hopkins	Parker	Wilt, W. W.
Diniml	Horner	Piper	Worley
Donaldson	Johnson, G.	Renninger	Worrlow
Dorsey	Kahle	Renwick	Wright
Dwyer	Kennedy	Reynolds	Yahner
Eckensberger	Kernaghan	Ruane	Yohn
Fehback	Kester	Ryan	Zearfoss
Fischer	Kistler	Saloom	Zimmerman
Foor	Lee	Schmitt	Zord
Fox	Lehr	Seltzer	

NOT VOTING—9

DeJoseph	Greenfield	Mullen	Polaski
Fenrich	Martino	O'Donnell	Thomas
Gola			

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

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

Agreeable to order,
The House proceeded to second consideration of House bill No. 570, printer's No. 657, entitled:

An Act amending the "Public Utility Law," approved May 28, 1937 (P. L. 1053), stating how the commission shall determine the fair value of property.

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

BILL RECOMMITTED

Mr. IRVIS moved that House bill No. 570 be recommitted to the Committee on Consumer Protection.
The motion was agreed to.

Agreeable to order,
The House proceeded to second consideration of House bill No. 975, printer's No. 1125, entitled:

An Act amending the "Banking Code of 1965," approved November 30, 1965 (P. L. 847), regulating acquisitions of and proposals to acquire shares of State or national banking institutions located in Pennsylvania or of corporations controlling such institutions.

And said bill having been considered the second time and agreed to,
Ordered, to be transcribed for third consideration.

Agreeable to order,
The House proceeded to second consideration of House bill No. 1156, printer's No. 1335, entitled:

An Act amending the "Savings Association Code of 1967," approved December 14, 1967 (Act No. 345), requiring associations to become insured savings associations.

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

BILL RECOMMITTED

Mr. IRVIS moved that House bill No. 1156 be recommitted to the Committee on Business and Commerce.
The motion was agreed to.

Agreeable to order,
The House proceeded to second consideration of Senate bill No. 38, printer's No. 898, entitled:

An Act providing criminal penalties for the introduction or manufacture for introduction into commerce in the Commonwealth of Pennsylvania of master keys for motor vehicles and imposing penalties.

And said bill having been considered the second time and agreed to,
Ordered, to be transcribed for third consideration.

Agreeable to order,
The House proceeded to second consideration of Senate bill No. 92, printer's No. 93, entitled:

An act amending the act of April 29, 1959 (P. L. 58), entitled "The Vehicle Code," further providing for brake equipment.

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

BILL RECOMMENDED

Mr. IRVIS moved that Senate bill No. 92 be recommended to the Committee on Consumer Protection. The motion was agreed to.

Agreeable to order,

The House proceeded to second consideration of Senate bill No. 162, printer's No. 691, entitled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims and municipal liens in the several cities of the third class, boroughs and townships of this Commonwealth; and validating such improvements, assessments, claims and liens; providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments, claims and liens.

On the question,

Will the House agree to the bill on second consideration?

BILL RECOMMENDED

Mr. IRVIS moved that Senate bill No. 162 be recommended to the Committee on Rules.

The motion was agreed to.

Agreeable to order,

The House proceeded to second consideration of Senate bill No. 366, printer's No. 396, entitled:

An Act amending the act of June 23, 1931 (P. L. 932), entitled "The Third Class City Code," expressly authorizing cities to provide cost of living increases for certain persons.

And said bill having been considered the second time and agreed to,

Ordered, to be transcribed for third consideration.

BILL ON FINAL PASSAGE POSTPONED

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. Pezak,

The House resumed consideration on final passage of House bill No. 250, printer's No. 1401, entitled:

An Act amending "The Vehicle Code," approved April 29, 1959 (P. L. 58), further regulating information contained on operators' license cards and increasing a fee.

On the question,

Will the House agree to the bill on final passage?

BILL RECOMMENDED

Mr. IRVIS moved that House bill No. 250 be recommended to the Committee on Highway Safety.

The motion was agreed to.

BILL ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 497, printer's No. 1405, entitled:

An Act amending the "Goods and Services Installment Sales Act," approved October 28, 1966 (P. L. 55), further providing for retail installment contracts and the rights and liabilities thereto.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMENDED

Mr. IRVIS moved that House bill No. 497 be recommended to the Committee on Rules.

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeable to order,

The House proceeded to the consideration on final passage of House bill No. 367, printer's No. 1564, entitled:

An Act amending the "Eminent Domain Code," approved June 22, 1964 (P. L. 84), variously changing the eminent domain law relating to the declaration of taking notice, objections, possession, relinquishment, viewfers, additional condemnées, joint claims, guardians, appeals, costs of transcripts, termination of viewfer's proceedings, payment of damages into court, removal, dislocation and moving expenses, witnesses and the board of viewfers.

On the question,

Shall the bill pass finally?

Agreeable to the provisions of the constitution, the yeas and nays were taken and were as follows:

YEAS—190

Alexander	Gallen	Lynch, Francis	Savitt
Allen, P. M.	Geesey	Lynch, Frank	Scanlon
Allen, W. W.	Getsler	Melady	Schmitt
Anderson, J. H.	Cekas	Manderino	Seltzer
Anderson, S. A.	Celfand	McAneny	Shelhamer
Appleton	George	McClatchy	Shelton
Bachman	Gillette	McCurdy	Sherman
Bair	Gleason	McGraw	Shuman
Barber	Gola	McMonagle	Shupnik
Bellomint	Good	Mcbus	Silverman
Beloff	Goodman	Meholchick	Slack
Bennett	Gring	Mellon	Smith
Beren	Gross	Miffin	Snare
Berkes	Halverson	Miller, M. E.	Spencer
Berson	Hamilton, J. H.	Moore	Stauffen
Bittle	Hamilton, R. K.	Moserip	Stackel
Bixler	Harrier	Murphy	Stecle
Blair	Haudenshield	Murtha	Stemmler
Bonetto	Hayes	Musto	Stone
Bosert	Headlee	Needham	Sullivan
Burkhardt	Hepford	Nicholson	Taylor
Rush	Hetrick	Nittrauer	Tayotn
Butera	Hill	Nojan	Tiberi
Caputo	Holman	Novak	Torak
Claypoole	Homer	O'Brien, B.	Vaitcenti
Comer	Hopkins	O'Brien, F.	Vann
Coppolino	Honner	O'Connell	Walsh
Crawford	Hutchinson	O'Pake	Wansacz
Crowley	Irvis	Pancoast	Wargo
Dager	Johnson, G.	Parker	Weidner
Davis, D.	Johnson, J.	Perry	Westerberg
Davis, R.	Johnson, T.	Pezak	Wilson
DeMedio	Kable	Pievsky	Witt, R. E.
Dininni	Kaufman	Piper	Witt, R. W.
Donaldson	Kelly	Pittenper	Witt, W. W.
Dorsey	Kennedy	Prendergast	Wise
Dwyer	Kernaghan	Quiles	Wojdak
Eckensberger	Kester	Renninger	Worley
Engelhart	Kistler	Renwick	Worrlow
Eshback	Kolter	Reynolds	Wright
Fee	Kowalshyn	Rieger	Yahner
Fischer	Kury	Ritter	Yohn
Foor	LaMarca	Buane	Zearfoss
Fox	Laudadio	Ruggiero	Zimmerman
Frank	Lawson	Rush	Zord
Fryer	Lee	Ryan	
Fulmer	Lehr	Rybak	Fineman, Speaker
Gallagher	Lutty	Saloom	

NAYS—1

Brunner

NOT VOTING—11

DeJoseph
Fenrich
Greenfield

Manbeck
Martino
Miller, P. W.

Mullen
O'Donnell
Polaski

Semanoff
Thomas

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

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

BILL ON SECOND CONSIDERATION

Agreeable to order.

The House proceeded to second consideration of Senate bill No. 297, printer's No. 314, entitled:

An Act authorizing cities of the first class to increase the retirement allowances or pensions of its retired employes after the termination of service of such employes.

And said bill having been considered the second time and agreed to,

Ordered, to be transcribed for third consideration.

BILLS ON THIRD CONSIDERATION

Agreeable to order,

The House proceeded to third consideration of House bill No. 774, printer's No. 894, entitled:

An Act amending the "Pennsylvania Board of Probation and Parole Law," approved August 6, 1941 (P. L. 861), changing the method of paying the chairman and members of the Board of Probation and Parole.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMITTED

Mr. IRVIS moved that House bill No. 774 be recommitted to the Committee on State Government.

The motion was agreed to.

Agreeable to order,

The House proceeded to third consideration of Senate bill No. 352, printer's No. 378, entitled:

An Act amending the act of July 31, 1968 (Act No. 241), entitled "Pennsylvania Solid Waste Management Act," changing the effective date.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMITTED

Mr. IRVIS moved that Senate bill No. 352 be recommitted to the Committee on Rules.

The motion was agreed to.

Agreeable to order,

The House proceeded to third consideration of House bill No. 755, printer's No. 1408, entitled:

An Act amending the "Pennsylvania Labor Relations Act," approved June 1, 1937 (P. L. 1166), expanding the definitions of person and employer, defining supervisor, limiting the powers of the board to change certain bargaining units and validating the selection of certain representatives and their actions.

On the question,

Will the House agree to the bill on third consideration?

Mr. BONETTO requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Title, page 2, next to last line of Title by striking out "and" and inserting: , providing for the limited right to strike by certain public employes,

Amend Title, page 2, last line of Title by removing the

period after "actions" and inserting: and further providing for penalties.

Amend Bill, page 5, by inserting between lines 9 and 10: Section 4. The act is amended by adding after section 11, a new section to read:

Section 11.1. Penalties.—(a) If any employe refuses to comply with a lawful order of a court of competent jurisdiction issued for a violation of any of the provisions of section 13 (b), the employer may initiate an action for contempt; and, if the employe is adjudged guilty of such contempt he shall (i) forfeit five days of leave, exclusive of sick leave, earned or to be earned for each day in contempt; and (ii) forfeit five days of sick leave earned or to be earned for each day in contempt; and (iii) be subject to suspension, demotion or discharge at the discretion of the public employer. The penalties provided herein may not be waived by any collective bargaining agreement and shall apply notwithstanding the provisions of any other statute and shall be in addition to any penalties therein provided.

(b) If any labor organization refuses to obey an injunction issued by a court of competent jurisdiction for a violation of any of the provisions of section 13 (b), the board may in its discretion decertify such labor organization, and refuse to entertain a petition for certification from the same labor organization for a period not to exceed one year from the date of such decertification.

(c) In the event any employe refuses to obey an order issued by a court of competent jurisdiction for a violation of the provisions of section 13 (b), punishment for such contempt may be by fine not exceeding five hundred dollars (\$500), or by imprisonment not exceeding thirty days in the prison of the county where the court is sitting, or both in the discretion of the court. The labor organization shall be prohibited from paying any of the fines imposed under this section.

(d) Where a labor organization wilfully disobeys a lawful order of a court of competent jurisdiction issued for a violation of the provisions of section 13 (b), the punishment for each day that such contempt persists may be by a fine fixed in the discretion of the court not to exceed ten thousand dollars (\$10,000). In fixing the amount of the fine, the court shall consider all the facts and circumstances directly related to the contempt including but not limited to (i) the extent of the wilful defiance or resistance to the court's order; (ii) the impact of the strike on the health, safety or welfare of the public, and (iii) the ability of the labor organization to pay.

Section 5. Section 13 of the act is amended to read:

Section 13. Limitations.—[Nothing] (a) Other than as provided in this section, nothing in this act shall be construed so as to interfere with, impede or diminish in any way the right of employes to strike.

(b) If any persons who are employes of any authority, board, commission, bureau, department, agency or other instrumentality of this Commonwealth or its political subdivisions participate in a strike, no restraining order or temporary or permanent injunction shall be granted, except on the basis of findings of fact made by a court of common pleas after due notice and hearing prior to the issuance of such restraining order or injunction that the commencement and/or continuance of the strike poses a clear and present danger to the public health or safety which, in the light of all relevant circumstances, it is in the best public interest to prevent. Any restraining order or injunction issued by a court of common pleas as herein provided shall prohibit only such specific act or acts as shall be expressly determined in said findings of fact to pose such clear and present danger.

Section 6. (a) The act of June 30, 1947 (P. L. 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a grievance procedure; and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Board," is repealed absolutely.

(b) All other acts and parts of acts are repealed in so far as they are inconsistent herewith.

Amend Sec. 4, page 5, lines 10 and 11, by striking out both of said lines.

Amend Sec. 5, page 5, line 12, by striking out "5." and inserting: 7.

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

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

Mr. BONETTO. Mr. Speaker, the amendment to House bill No. 755 provides for the limited right to strike for certain public employees. It provides the penalties and also it repeals the 1947 act. I do not wish to read the entire amendment, but the amendment provides for an injunction procedure, and if the injunction is violated by the employee, a certain punishment for each day and a fine fixed in the discretion of the court will be imposed upon that union.

The impact of the strike must be on the health and safety of the welfare of the public. It also specifies that any restraining order or injunction issued by a court of common pleas, as herein provided, shall prohibit only such specific act or acts as shall be expressly determined in said findings of fact to pose such clear and present danger.

Mr. Speaker, I ask the support of this amendment.

The SPEAKER. The Chair recognizes the minority leader.

Mr. DONALDSON. Mr. Speaker, may I interrogate the sponsor of the amendment?

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. BONETTO. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. DONALDSON. Mr. Speaker, as the gentleman knows, I have only had the opportunity of seeing his amendments about 20 minutes ago and they are a couple of pages, so I will ask him to bear with me and see if I have the drift of them.

Basically, the gentleman utilizes the concept set forth in the Hickman Commission of the limited right to strike. Would this be a fair statement?

Mr. BONETTO. I would think so, Mr. Speaker.

Mr. DONALDSON. As I understand the amendments, Mr. Speaker, they incorporate verbatim, I think, on the first page of the amendments, the language suggested by the Hickman Commission. Is that correct?

Mr. BONETTO. I have not checked this with the Hickman report itself, so if you say it is verbatim, I will take your word for it.

Mr. DONALDSON. I have not had much chance to check it myself, but in the little opportunity I have had, they seem to do that.

The second page seems to excerpt certain language which is contained in the so-called PSEA bill. I forget the number of that. I think it is House bill No. 254. Is that basically correct?

Mr. BONETTO. The second page of it does that, yes.

Mr. DONALDSON. Mr. Speaker, may I ask the gentleman, if this bill should become law without his amendments, if his amendments were defeated and the bill should become law, would public employees have a right to strike, in the gentleman's opinion?

Mr. BONETTO. I have been informed that—and I am not an attorney—somewhere in Purdon's they have a section, No. 213, that mentions that the 1947 act does not prohibit the right to strike.

Mr. DONALDSON. All right.

Mr. BONETTO. Whether that would be incorporated in House bill No. 755 I do not know.

Mr. DONALDSON. If this bill was passed without the gentleman's amendments and public employees did, in fact, go on strike, would the penalties set forth in the act of 1947 apply to those public employees?

Mr. BONETTO. I would think so.

Mr. DONALDSON. You would think so?

Mr. BONETTO. Yes.

Mr. DONALDSON. Mr. Speaker, if the bill became law with the gentleman's amendments, would it be the gentleman's understanding that his amendments had anything to do with any dispute, strike or quasi-strike or something akin to a strike that had happened prior to the time this bill becomes law with his amendments?

Mr. BONETTO. I think that my intent of this amendment is this, to not only repeal the 1947 act, but I think the repeal of the 1947 act would automatically grant amnesty to those strikes that have occurred, or the stoppage of work, may I say, that has occurred yesterday.

Mr. DONALDSON. That is the gentleman's intent?

Mr. BONETTO. That is the intent.

Mr. DONALDSON. I have a great deal of difficulty finding that in the language of the gentleman's amendments. Do you have any legal authority for that? I am really not trying to play a game with you.

Mr. BONETTO. I think that if there is no 1947 act to prosecute the employees who went out and stopped work, then I feel that it would be up to the board, the school board in particular, to grant amnesty.

Mr. DONALDSON. Let me say this to the gentleman: I think there is a great deal of merit in the gentleman's amendments insofar as they incorporate certain provisions of the Hickman Commission report. If we had had an opportunity to caucus fully on them, I believe there might have been support on this side, but we have not had that opportunity. Frankly, I think it is a shame that we have not had that opportunity. I do not quarrel with the gentleman over that. If we had had that opportunity, there might have been support.

As it is, I am going to vote against them simply because I honestly do not understand them or understand their impact in this whole subject area. I apologize to the gentleman for that. I think he has come up with some amendments which deserve far greater consideration than 20 minutes by either caucus, and that is the only opportunity we have had.

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

The yeas and nays were required by Messrs. BONETTO and DONALDSON and were as follows:

YEAS—28

Berkes	Gallagher	O'Pake	Shelhamer
Bixler	Goodman	Pittonger	Shuman
Bonetto	Hutchinson	Prendergast	Shupnik
Crowley	Johnson, T.	Ritter	Silverman
Davis, D.	Kaufman	Ruggiero	Steele
Eckensberger	Kowalshyn	Rybak	Taylor
Frank	O'Brien, B.	Schmitt	Wise

NAYS—162

Alexander	Geocoy	Lutty	Savitt
Allen, W. W.	Getaler	Lynch, Francis	Scanlon
Anderson, J. H.	Gelas	Lynch, Frank	Seltzer
Anderson, S. A.	Gelfand	Melady	Semanoff
Appleton	George	Manderino	Shelton
Bachman	Gillette	McAneny	Sherman
Bair	Gleeson	McClatchy	Slack
Barber	Gola	McCurdy	Smith

Bellomini	Good	McGraw	Snare
Beloff	Gring	McMonagle	Spencer
Bennett	Gross	Meholchick	Stauffer
Berch	Halverson	Melfon	Steckel
Berson	Hamilton, J. H.	Miffin	Strommer
Bittle	Hamilton, R. K.	Miller, M. E.	Stone
Blair	Harrier	Milten, P. W.	Sullivan
Bossert	Haudensfield	Moore	Tayoun
Brunner	Hayes	Moscrip	Tiberi
Burkardt	Hoadlee	Murphy	Torak
Bush	Hepford	Murtha	Valcenti
Butera	Hetrick	Musto	Vann
Caputo	Uhl	Needham	Walsh
Claypoole	Holman	Nicholson	Warszew
Comer	Homer	Nitrauer	Wargo
Coppolino	Hopkins	Nolan	Weidner
Crawford	Hornor	Novak	Westerberg
Dager	Irvic	O'Brien, F.	Wilson
Devis, R.	Johnson, G.	O'Connell	Wilt, R. E.
DeMedio	Johnson, J.	Pancoast	Wilt, R. W.
Dinucci	Kahle	Parker	Wilt, W. W.
Donaldson	Kelly	Perry	Wojdak
Dorsey	Kennedy	Pezak	Worley
Dwyer	Kernaghan	Picvsky	Worriow
Englehart	Kester	Piper	Wright
Eshback	Kistler	Quiles	Yahnes
Fee	Kolter	Renninger	Yohn
Fischer	Kury	Renwick	Zearfoss
Foor	LaMarea	Reynolds	Zimmerman
Fox	Laudadio	Riegcr	Zord
Fryer	Lawson	Ruane	
Fulmer	Lee	Rush	Fineman,
Gallen	Lehr	Saloom	Speaker

NOT VOTING—12

Allen, F. M.	Greenfield	Mebus	Polaski
DeJoseph	Manbeck	Mullen	Ryan
Fenrich	Martino	O'Donnell	Thomas

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

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. ENGLEHART requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Title, page 2, fifth and sixth lines of Title, by striking out "limiting the powers of the board to change certain bargaining units"

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

Amend Sec. 1 (Sec. 3), page 2, line 13, by striking out "exclusively"

Amend Sec. 2 (Sec. 3), page 3, line 24, by inserting after "ACTION": if in connection with the foregoing the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment

Amend Sec. 3, page 4, line 6, by striking out "Subsections (a) and (b)" and inserting: Subsection (a)

Amend Sec. 3, page 4, lines 6 and 7, by striking out "subsection (a)"

Amend Sec. 3, page 4, lines 7 and 8, by striking out "and subsection (b) amended June 1, 1945 (P. L. 1379), are" and inserting: is

Amend Sec. 3 (Sec. 7), page 4, lines 24 to 30; page 5, lines 1 to 8, by striking out all of said lines

Amend Sec. 4, page 5, lines 10 and 11, by striking out all of said lines

Amend Sec. 5, page 5, line 12, by striking out "5." and inserting: 4.

On the question,

Will the House agree to the amendments?

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

Mr. ENGLEHART. Mr. Speaker, the amendments I am just presenting now do three things: On page 2, line 13, it eliminates the word "exclusively" in defining scientific, literary, educational and charitable organizations. The purpose is to include within the Labor Relations Act or-

ganizations which do scientific, literary, educational and charitable work, and not permit an exclusion simply because only part of their work is in that area.

The second amendment occurs on page 3 in the definition of "supervisor," and it is inserted merely to clarify the language so that supervisors engaging in routine or clerical work are included, but supervisors who are legitimately supervisors exercising independent judgment are excluded.

The last part of the amendment eliminates, on pages 4 and 5, subsection (b) of section 7. As you can see from the print of the bill, it was amended twice trying to get some language. It has been finally decided, at least in my mind, that the amendment to section 7 adequately covers the situation that election is provided for employees covered by the labor relations law to determine who their bargaining representative is going to be. We felt it was unnecessary to have language either to lock a present group in or lock another group out.

The SPEAKER. The Chair recognizes the minority leader.

Mr. DONALDSON. Mr. Speaker, I wonder if I could interrogate the gentleman, Mr. Englehart, in connection with these amendments.

The SPEAKER. Will the gentleman permit himself to be interrogated?

Mr. ENGLEHART. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. DONALDSON. Mr. Speaker, I said that we had 20 minutes to consider the Bonetto amendments. The Englehart amendments we got three minutes ago. I do not know what to say, I will be frank about it. I will try to go through them with the gentleman. It is my understanding that the majority has to roll the bill today. From what I read in the press over the weekend, that is certainly understandable if that is the way they want to run the ball game.

I think I understand the gentleman's first two amendments. I see no particular problem with them. I wonder if he would go through with me again the third amendment which he explained, which I just do not follow.

Mr. ENGLEHART. Did you ask me a question?

Mr. DONALDSON. Yes, I did. I would like to know what you are doing with the third part of the amendment.

Mr. ENGLEHART. Excuse me. Do you want another explanation?

Mr. DONALDSON. Yes, if you do not mind. Of course, if you want to run the bill without any explanation or without putting in amendments which no one has seen, then you have the right to do it.

Mr. ENGLEHART. If the gentleman will read the amending portion of section 7, beginning on line 16. . .

Mr. DONALDSON. I shall.

Mr. ENGLEHART. . . you will see that the act, as amended, already validates existing collective bargaining agreements and says that they stay in effect until the question of changing it has been appropriately raised under the act.

In view of this language, it was not necessary to add language to subsection (b), and we, therefore, propose to eliminate the entire subsection, feeling that the amendment to section 7, beginning on line 16, adequately covers the whole problem.

Mr. DONALDSON. Mr. Speaker, if anybody understands that, they are perfectly free to vote. I thank the

gentleman. I would like to make a brief statement in connection with this amendment.

I would like the press to note that the majority party which proposes to want to modernize the legislature sends to us one sheet of paper with amendments to this substantial bill and says, vote it now.

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

Mr. ENGLEHART. Mr. Speaker, I would like to assure the members of the House, in my opinion after an examination of these amendments, that there is no substantial change in what was attempted to be accomplished by the original amendment or the original reprint of House bill No. 755.

We simply felt that there was a redundancy and that all the language on page 5 was unnecessary because of the language which was already put in on page 4.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. ENGLEHART and DONALDSON and were as follows:

YEAS—111

Allen, F. M.	Gelfand	McMonagle	Scanlon
Anderson, S. A.	Gillette	Meholchick	Schmitt
Bachman	Gleeson	Melton	Semanoff
Barber	Gola	Miller, P. W.	Shelhamer
Belomini	Goodman	Murphy	Shelton
Beloff	Gross	Murtha	Sherman
Bennett	Halvorsen	Musto	Shuman
Berkos	Hamilton, R. K.	Needham	Shupnik
Berson	Horner	Noian	Sliverman
Bixler	Hutchinson	Novak	Steele
Blair	Irvin	O'Brien, B.	Stemmler
Bonetto	Johnson, J.	O'Brien, F.	Stone
Brunner	Johnson, T.	O'Pake	Sullivan
Caputo	Kaufman	Pezak	Taylor
Chaypoole	Kelly	Picovsky	Tayoun
Comer	Kolter	Pittenger	Tiberi
Coppolino	Kowalshyn	Prendergast	Valleenti
Crowley	Kury	Renwick	Vann
Davis, D.	LaMarca	Rieger	Walsh
DeMedio	Laudadio	Ritter	Wansacz
Dwyer	Lawson	Ruane	Wargo
Eckelsberger	Latty	Ruggiero	Wise
Englehart	Lynch, Francis	Rush	Wojdak
Fee	Malady	Rybak	Worley
Fischer	Manbeck	Saloos	Yahner
Frank	Manderino	Savitt	
Fryer	McAneny		
Gallagher	McGraw		
Getsler			

NAYS—83

Alexander	Gallen	Kester	Seitzer
Allen, W. W.	Geesey	Kistler	Slack
Anderson, J. H.	Gekas	Lec	Smith
Appleton	George	Lehr	Snearc
Bair	Good	Lynch, Frank	Spencer
Beren	Gring	McClatchy	Stauffer
Bittle	Hamilton, J. H.	McCurdy	Staeckel
Bossert	Harrier	Mabus	Torak
Burkardt	Haudenschild	Miffitt	Weldner
Rush	Hays	Miller, M. E.	Westerberg
Butera	Headlee	Moore	Wilson
Crawford	Hepford	Moscip	Wilt, R. E.
Dager	Hetrick	Nicholson	Wilt, B. W.
Davis, E.	Hill	Nitrauer	Wilt, W. W.
Dinhani	Holman	O'Connell	Worrirow
Donaldson	Hopkins	Pancoast	Wright
Dorsey	Horner	Parker	Yohn
Eshback	Johnson, G.	Piper	Zearfoss
Foor	Kahle	Reminger	Zimmerman
Fox	Keenedy	Reynolds	Zord
Fulmer	Kernaghan	Ryan	

NOT VOTING—8

DeJoseph	Greenfield	Mullen	Polaski
Fenrich	Martino	O'Donnell	Thomas

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

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

Mr. GEESEY. Mr. Speaker, Saturday I received a letter. It is the same letter that every other member of this House received which stated: "No one single segment of public employees requires special attention to their right to join and form collective bargaining organizations." Friday, I received a letter from a similar group which states as follows: "Separate treatment for policemen and firemen is logical and justifiable because of the unique problems in their negotiations."

Consequently, it is obvious to me that a great deal of confusion exists among the opponents of this amendment, yet they would have us believe that their way is the only way.

Mr. Speaker, are the problems surrounding the education of our children—

The SPEAKER. Will the gentleman suspend for just a moment? It has just been brought to the attention of the Chair that the amendments the gentleman has submitted are amendments to a wrong printer's number. The amendments that the gentleman has submitted are amendments to printer's No. 875. We are now on printer's No. 1408. The amendments are, therefore, inappropriate to be considered at this time.

Mr. GEESEY. Mr. Speaker, could I ask your consent to hold the bill until the amendments can be properly prepared?

The SPEAKER. Will the majority and minority leaders please come to the desk?

AMENDMENTS WITHDRAWN

The SPEAKER. The Chair recognizes the minority leader.

Mr. DONALDSON. Mr. Speaker, my understanding would be that the gentleman would withdraw his original amendments and offer these amendments which are to the correct printer's number and which would, I believe, accomplish the gentleman's objective quite as well.

The SPEAKER. The gentleman will withdraw the amendments originally submitted.

The gentleman from York, Mr. Geesey, now offers new amendments, which the clerk will read.

Are these the same amendments with the corrected printer's number?

Mr. GEESEY. No, they are not, Mr. Speaker. They redefine the term "employer."

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. GEESEY requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Sec. 1 (Sec. 3), page 2, line 24 by inserting after "thereof," except school districts.

Amend Sec. 1 (Sec. 3), page 3, line 2 by removing the period after "subdivisions" and inserting: except school districts.

On the question,

Will the House agree to the amendments?

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

Mr. GEESEY. Mr. Speaker, the purpose of these amendments is to redefine the term "employer" to exclude school districts. If I may, I will pick up where I ended, with your consent.

The SPEAKER. The gentleman may proceed.

Mr. GEESEY. Mr. Speaker, are the problems surrounding the education of our children any less unique than the problems of the police and the firemen? Can we honestly say to ourselves and our children that their problems are really of no importance and that regardless of what we tell our children, they really are not special at all?

Mr. Speaker, maybe you can tell your children this, but I cannot. Let me assure you of this, if we, by our vote today, do tell our children this, we may as well get a fiddle and start playing because the educational process will have started to burn.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I do not have a copy of the amendments offered before me. If it had been brought to the Democratic caucus with little more than 20 minutes, we might be prepared to debate this.

Mr. DONALDSON. May I interrogate the majority leader in connection with that remark?

Mr. IRVIS. However, Mr. Speaker, I would like to interrogate the gentleman from York, Mr. Geesey, if he will submit to interrogation.

The SPEAKER. Will the gentleman from York, Mr. Geesey, permit himself to be interrogated?

Mr. GEESEY. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. IRVIS. Mr. Speaker, as I understand the gentleman's amendment, it would not only remove school teachers from the purview of this bill, but it would remove any, each and all employes of any school district from this bill. Is that correct?

Mr. GEESEY. Yes, Mr. Speaker.

Mr. IRVIS. So that this amendment reaches beyond the gentleman's prior amendment. This amendment removes maintenance workers, nurses, teachers, guidance counselors, gardeners, anyone employed by the school district. If this amendment were to be accepted, they would be removed from the bill. That is correct, is it not, Mr. Speaker?

Mr. GEESEY. Yes, Mr. Speaker.

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, there are those on the floor of this House and I do not count myself among them—who would agree that school teachers ought to be handled in separate legislation, but this amendment does not direct itself solely to school teachers. The argument that school teachers belong to a profession and therefore should be treated in a manner differing from other employees cannot here be sustained, because this amendment goes far beyond school teachers. This amendment, Mr. Speaker, removes all employes from a school district.

I would, therefore, submit to the House that a negative vote would be the correct vote, and I call for a "no" vote on this amendment.

The SPEAKER. The Chair recognizes the minority leader.

Mr. DONALDSON. Mr. Speaker, I want to assure the majority leader that tomorrow's amendment will include only professional employees if that makes him feel happier. As he well knows, today's would have included those, too, if it were not for the technical problem.

As for the remark about him not having adequate time, if the gentleman would have wanted time, we would have been happy to grant him a happy situation that did not prevail when we requested time to look at amendments.

Nevertheless, I think honestly and sincerely that other than the budget problem, this problem of public employee-employer relationships is the most important one confronting this General Assembly in this session. I feel that sincerely as one who has been involved in it to a rather considerable extent over the last several months.

In my judgment, Senate bill No. 755 does so little toward meeting the problem that it simply is not adequate. I personally think we need a statute that covers all governmental employees including professional employees. Whether that should be done in one or two statutes, I do not stand very firm on. But Senate bill No. 755 is not going to help. The real critical problem right now, if it will extend to other areas this summer, is public school employees. That is the reason I am going to support this amendment, in the hope that the amendment might pass and then that this House might get on with doing what it ought to do and write a sensible employer-bargaining relation act at least for public school employees if we cannot do it for anybody else. We are going in the wrong direction. We are going in a direction we are going to regret badly.

I support the amendment for the reason that it is some possible way that we might get a good statute at least for school employes, if we cannot get it for the rest of the governmental employees.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Messrs. GEESEY and DONALDSON and were as follows:

YEAS—92

Alexander	Fulmer	Kury	Seltzer
Allen, W. W.	Gallen	Lee	Shelhamer
Anderson, J. H.	Geesey	Lehr	Shuman
Appleton	Gikas	Lynch, Frank	Shupnik
Bair	George	Manderino	Slack
Beren	Good	McClatchy	Smith
Bittle	Gring	McCurdy	Snare
Blair	Halversam	Mebus	Spencer
Bossert	Harrier	Miffin	Staufner
Burkardt	Haudenschild	Miller, M. E.	Steckel
Bush	Hayes	Moore	Torak
Butera	Headloc	Moserip	Weidner
Caputo	Hepford	Nicholson	Westenberg
Crawford	Hill	Nitbauer	Wilson
Dager	Holman	Panecost	Wilt, R. E.
Davis, R.	Hopkins	Parker	Wilt, R. W.
Dinnini	Horner	Piper	Wise
Donaldson	Johnson, G.	Pittenger	Worrlow
Dorsey	Kahle	Renninger	Wright
Dwyer	Kennedy	Renwick	Yohn
Ehlsbick	Kernaghan	Reynolds	Zaurfoss
Foor	Kester	Ruanc	Zimmerman
Fox	Kistler	Ryan	Zord

NAYS—101

Allen, F. M.	Gillette	McMonagle	Scanlon
Anderson, S. A.	Gleason	Melolchick	Schmitt
Bachman	Gols	Melton	Semanoff
Barber	Goodman	Miller, P. W.	Shelton
Bellommi	Gross	Murphy	Sherman
Beloff	Hamilton, J. H.	Murtha	Silverman
Bennett	Hamilton, R. K.	Musto	Steele
Berkes	Holtrick	Needham	Stemmler
Berson	Horner	Nolan	Stone

Bixler	Hutchinson	Novak	Sullivan
Bonetto	Irvis	O'Brien, B.	Taylor
Brunner	Johnson, J.	O'Brien, F.	Tayoun
Comer	Johnson, T.	O'Connell	Tiberi
Coppolino	Kaufman	O'Pake	Valicenti
Crowley	Kelly	Perry	Vann
Davis, D.	Kolter	Pezak	Walsh
DeMedio	Kowalshyn	Pievsky	Wansacz
Eckensberger	LaMarca	Prendergast	Wargo
Englehart	Laudadio	Quiles	Wilt, W. W.
Fee	Lawson	Rieger	Wojdak
Fischer	Lutty	Ritter	Worley
Frank	Lynch, Francis	Ruggiero	Yahner
Fryer	Malady	Rush	
Gallagher	Manbeck	Rybak	Fineman, Speaker
Geisler	McAneny	Saloom	
Gelfand	McGraw	Savitt	

NOT VOTING—9

Claypoole	Greenfield	Mullen	Polaski
DeJoseph	Martino	O'Donnell	Thomas
Fenrich			

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

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

Mr. BAIR requested and obtained unanimous consent to offer the following amendments, which were read:

Amend Title, page 2, fifth line of Title, by inserting after "SUPERVISOR"; further regulating the rights of certain governmental employes.

Amend Bill, page 4, by inserting between lines 5 and 6: Section 3. Section 5 of the act is amended to read:

Section 5. Rights of Employees.—Employees shall have the right to self-organization, to form, join or assist labor organizations, to bargain collectively through representatives of their own choosing, and to engage in concerted activities for the purpose of collective bargaining or other mutual aid or protection.

Employees of all State, county, municipal and township governments shall have and shall be protected in the exercise of their right, freely and without fear of penalty or reprisal, to form, join and assist any employe organization or to refrain from such activity.

Amend Sec. 3, page 4, line 6, by striking out "3." and inserting: 4.

Amend Sec. 4, page 5, line 10, by striking out "4." and inserting: 5.

Amend Sec. 5, page 5, line 12, by striking out "5." and inserting: 6.

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

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

Mr. BAIR. Mr. Speaker, I do not believe there is any question about the amendments that I offer here in point of time. These amendments, I believe, have been in the hands of both the majority and the minority leaders for approximately three weeks. I believe I also have the correct printer's number.

This amendment, Mr. Speaker, to Senate bill No. 755 inserts the language taken from an executive order of President Kennedy's and says simply this: "Employees of all State, county, municipal and township governments shall have and shall be protected in the exercise of their right, freely and without fear of penalty or reprisal, to form, join and assist any employe organization or to refrain from such activity."

This amendment simply says that the employee has the right to join, as well as refrain from joining, a labor organization; that it is the inherent right of every individual to be able to work if he cares to and not to work if it is not his desire, but that he should not be told by the union he

cannot work and he should not be told by us that he cannot hold a job unless he joins the union.

I ask for an affirmative vote on this amendment.

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

Mr. ENGLEHART. Mr. Speaker, I would oppose this amendment. This would change the title of the bill to the right-to-work law in Pennsylvania for government employees. I think that just about covers it. I ask for a roll-call vote.

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

The yeas and nays were required by Messrs. BAIR and ENGLEHART and were as follows:

YEAS—19

Alexander	Bossert	Ceesoy	Moscip
Appleton	Burkhardt	George	Ryan
Bair	Dager	Kistler	Wilt, W. W.
Beren	Eshback	Lehr	Zcarfoss
Bittte	Foor	McClatchy	

NAYS—172

Allen, F. M.	Gola	McCurdy	Schmitt
Allen, W. W.	Good	McGraw	Semanoff
Anderson, J. H.	Goodman	McMonagle	Shelhamer
Anderson, S. A.	Gring	Mebus	Shelton
Bachman	Gross	Mehatchak	Sherman
Barber	Halverson	Melton	Shuman
Bellominal	Hamilton, J. H.	Mifflin	Shupnik
Beloff	Hamilton, R. K.	Miller, M. E.	Silverman
Bennett	Harricr	Miller, P. W.	Slack
Berkes	Haudenschild	Moore	Smith
Berson	Hayes	Murphy	Snare
Bixler	Headlee	Murtha	Spencer
Blair	Hepford	Musto	Stauffer
Bonetto	Hetrick	Needham	Steckel
Brunner	Hill	Nicholson	Steele
Bush	Holman	Nitrauer	Stenmler
Putera	Homcr	Nolan	Stons
Caputo	Hopkins	Novak	Sullivan
Claypoole	Horner	O'Brien, B.	Taylor
Comer	Hutchinson	O'Brien, F.	Tayoun
Coppolino	Irvis	O'Connell	Tiberi
Crawford	Johnson, G.	O'Pake	Torak
Crowley	Johnson, J.	Pancoast	Valicenti
Davis, D.	Johnson, T.	Parker	Vann
Davis, R.	Kahle	Perry	Walsh
DeMedio	Kaufman	Pezak	Wansacz
Donaldson	Kelly	Pievsky	Wargo
Dorsey	Kennedy	Piper	Weidner
Dwyer	Kernaghan	Pittenger	Westerberg
Eckensberger	Kester	Prendergast	Wilson
Englehart	Kolter	Quiles	Wilt, R. E.
Fee	Kowalshyn	Renninger	Wilt, R. W.
Fischer	Kury	Benwick	Wise
Fox	LaMarca	Reynolds	Wojdak
Frank	Laudadio	Rieger	Worley
Fryer	Lawson	Ritter	Worriow
Fulmer	Lee	Ruane	Wright
Gallagher	Lutty	Ruggiero	Yahner
Gallen	Lynch, Francis	Rush	Yohn
Geisler	Lynch, Frank	Rybak	Zord
Gekas	Malady	Saloom	
Gelfand	Manbeck	Savitt	
Gillette	Manderino	Scanlon	Fineman, Speaker
Gleeson	McAneny		

NOT VOTING—11

DeJoseph	Greenfield	O'Donnell	Thomas
Diniuni	Martino	Polaski	Zimmerman
Fenrich	Mullen	Seitzer	

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

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

Mr. DONALDSON requested and obtained unanimous

consent to offer the following amendments, which were read:

Amend Title, page 2, fifth line of Title, by inserting a comma after "employer"

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

Amend Sec. 3 (Sec. 7), page 4, line 20, by striking out "bargaining" and inserting: bargaining

Amend Sec. 3 (Sec. 7), page 5, line 7, by striking out "UNTIL" and inserting: unit

Amend Sec. 4, page 5, line 11, by removing the period after "herewith" and inserting: : Provided, however, That this amendatory act shall not be construed to repeal the act of June 30, 1947 (P. L. 1183), entitled "An act relating to strikes by public employes; prohibiting such strikes; providing that such employes by striking terminate their employment; providing for reinstatement under certain conditions; providing for a grievance procedure; and providing for hearings before civil service and tenure authorities, and in certain cases before the Pennsylvania Labor Relations Board."

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the minority leader.

Mr. DONALDSON. Mr. Speaker, the majority leader indicates that he has seen this amendment in ample time.

Mr. Speaker, I really think this is a serious amendment. All it does is recite that this act shall not be construed—the act we are going to vote on tomorrow, presumably—to repeal the act of June 30, 1947, which is the act generally known as the anti-strike act or is the present Pennsylvania law on the subject of public employes.

Let me tell you why I am offering it. One of the basic problems in this area has been the nebulous character of the law. School boards do not know and solicitors differ as to whether they can bargain with a bargaining unit, whether they can recognize a bargaining unit, whether they can sign a written agreement. They honestly and sincerely do not know and legal opinions differ.

When they have had walkouts or strikes or something of that nature, they honestly do not know if the provisions of the 1947 act are self-executing, if they can be waived by a school board, if they must be literally adhered to. They honestly and sincerely do not know if the so-called amnesty bill which we passed as an amendment in 1968 to the Public School Code applies to anybody prospectively. They just do not know.

Mr. Speaker, we are going to pass, if we pass this bill, a new public employees statute and that is good. I am all for that, but we ought to resolve the ambiguities in the law. Most of the proponents of this bill, House bill No. 755, say it can exist side by side with the 1947 act. That is what most of them say to me.

Certainly House bill No. 755 does not contain a limited right to strike, because this House turned down that amendment, as was offered by Mr. Bonetto.

I say to the House, as a lawyer who deals in this field, that I could not advise a client, and I do not think anybody else could advise a client and be very certain as to whether or not, if this became the law, the act of 1947 had any application. For my purposes I really do not care whether it has any application or not, but I would like the law to be clear. If it is to remain as a part of our organic law, then let us put the amendment in; if it is not to remain as a part of our organic law, then let us write that into the bill. But I would dearly love if one of the sponsors—I am not going to interrogate any of them—would get up and

explain to me what the legislative intent is in this area. I think it is important in connection with this amendment.

I see the distinguished gentleman from Cambria who rushes in and I will yield to him temporarily for that purpose.

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

Mr. ENGLEHART. I thank the gentleman for calling me distinguished.

Mr. Speaker, maybe I owe the minority leader an apology on the amendment that passed a few minutes ago which I sponsored. I did not think it was going to be important, but now it has become so.

Part of that amendment repealed, on page 5, what was known then as section 4, which said: "All acts and parts of acts are repealed in so far as inconsistent herewith."

The amendment which I put in and which passed eliminated that language. Therefore, it is my opinion, and, I think, the intent of House bill No. 755, that the act of 1947, for the moment, does stay intact. If we write language in here to try to say specifically that the act of 1947 does stay intact, then we may be required to put another amendment in to be sure that we do not affect the constitutional amendment on firemen and policemen.

I do not believe there is any legislative intent to tamper with the act of 1947 with the present writing or the present language of House bill No. 755.

The SPEAKER. The Chair recognizes the minority leader.

Mr. DONALDSON. Mr. Speaker, may I interrogate the gentleman? I think that is one of the most incredible responses I have ever had.

The SPEAKER. Will the gentleman from Cambria, Mr. Englehart, permit himself to be interrogated?

Mr. ENGLEHART. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. DONALDSON. Does the gentleman think there is any statute we could pass which would affect the constitutional amendment relative to police and firemen?

Mr. ENGLEHART. Mr. Speaker, as the gentleman knows, lawyers can always find something to argue about.

Mr. DONALDSON. Does the gentleman know of any lawyers who disagree on whether a statute can affect a constitutional amendment?

The SPEAKER. Try us.

Mr. DONALDSON. I am very serious about this, Mr. Speaker, and I am interrogating the gentleman who volunteered.

Mr. ENGLEHART. Thank you, Mr. Speaker.

Mr. DONALDSON. Does the Speaker know of any lawyers who think that statutes can overturn the constitutional provisions?

The SPEAKER. Is that a parliamentary inquiry?

Mr. DONALDSON. Sure, why not.

The SPEAKER. The Speaker yields to the gentleman, Mr. Englehart.

Mr. ENGLEHART. Mr. Speaker, in my mind there is no question that a statute does not overrule the constitution. Nevertheless, the Supreme Court calendar is full of cases in which attempts have been so made, and we would like to avoid that attempt and leave this language alone and leave it clear.

Mr. DONALDSON. Mr. Speaker, what could be clearer if the gentleman says his intent is to retain the act of

1947? What could be clearer than to write it into the statute, I ask the gentleman?

Mr. ENGLEHART. The reason, Mr. Speaker, is that if the language requested by the minority leader is put in, it now presents the possibility for lawyers across the State to find other statutes which may or may not have been repealed by this act.

We feel that all phases of the law have been covered by the elimination of section 4 on page 5.

Mr. DONALDSON. I am not going to interrogate the gentleman any further. I would like to speak again on the amendment.

I would like the ladies and gentlemen of this House to know that nobody in this General Assembly is more interested in getting a workable public employer-employee bargaining act than I am. I would like the language to be clear so that lawyers could advise their clients and public employees and their employers would know.

If the House wants to do this, it will adopt the amendment. If you want to follow some personality's dictate, then reject the amendment.

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

The yeas and nays were required by Messrs. DONALDSON and ENGLEHART and were as follows:

YEAS—98

Alexander	Fryer	Kester	Ryan
Allen, F. M.	Fuhrer	Kistler	Saloom
Allen, W. W.	Gallen	Kury	Seltzer
Anderson, J. H.	Geesey	Lee	Shelhamer
Appleton	Gekas	Lehr	Slack
Bair	George	Lynch, Frank	Smith
Beren	Good	Manbeck	Snare
Bittle	Gring	McClatchy	Spencer
Bossert	Halverson	McCurdy	Staudler
Burkhardt	Hamilton, J. H.	Mebus	Steckel
Bush	Harrier	Mifflin	Torak
Butera	Haudenschild	Miller, M. E.	Weidner
Claypool	Hayes	Moore	Westerberg
Coppolino	Headlee	Moscip	Wilson
Crawford	Hepford	Nicholson	Wilt, R. E.
Dager	Hetrick	Nitrouer	Wilt, R. W.
Davis, R.	Hill	O'Connell	Wilt, W. W.
Dininni	Holman	Panocost	Wise
Donaldson	Hopkins	Parker	Worrlow
Dorsey	Hornor	Piper	Wright
Dwyer	Johnson, G.	Pittenger	Yohn
Eshback	Kahle	Renninger	Zearfoss
Fischer	Kaufman	Reynolds	Zimmerman
Foor	Kennedy	Ruane	Zord
Fox	Kernaghan		

NAYS—95

Anderson, S. A.	Gleeson	Melton	Schmitt
Bachman	Gola	Miller, P. W.	Shelton
Barber	Goodman	Murphy	Sherman
Bellomini	Gross	Murtha	Shuman
Beloff	Hamilton, R. K.	Musto	Shupnik
Bennett	Hornor	Needham	Silverman
Berkas	Hutchinson	Nolan	Steele
Berson	Irvin	Novak	Stemmler
Bixler	Johnson, J.	O'Brien, B.	Stone
Blair	Johnson, T.	O'Brien, F.	Sullivan
Bonetto	Kelly	O'Pake	Taylor
Brunner	Kotler	Perry	Tayoun
Caputo	Kowalshyn	Perzak	Tibri
Comer	LaMarca	Pievsky	Valicenti
Crowley	Laudadio	Prendergast	Vann
Davis, D.	Lawson	Quiles	Walsh
DeMedio	Lutty	Renwick	Wansacz
Eckensberger	Lynch, Francis	Rieger	Wargo
Engelhart	Malady	Ritter	Wojdak
Fee	Manderino	Ruggiero	Worley
Frank	McAnery	Rush	Yahres
Gallagher	McGraw	Rybak	
Geisler	McMonagle	Savitt	Fineman, Speaker
Gelfand	Meholchick	Scanlon	
Gillette			

NOT VOTING—9

DeJoseph	Martino	O'Donnell	Semanoff
Fenrich	Mullen	Polaski	Thomas
Greenfield			

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

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

It was agreed to.
Ordered, That the bill as amended be prepared for final passage.

BILLS ON FINAL PASSAGE

Agreeable to order,
The House proceeded to the consideration on final passage of House bill No. 469, printer's No. 1533, entitled:

An Act amending the "State Highway Law," approved June 1, 1945 (P. L. 1242), authorizing acquisition of property necessary for certain present or future highway purposes, designating certain junctions as highway purposes and regulating procedure for such acquisition.

On the question,
Shall the bill pass finally?

Agreeable to the provisions of the constitution, the yeas and nays were taken and were as follows:

YEAS—77

Allen, F. M.	Geisler	McClatchy	Semanoff
Anderson, S. A.	Gleeson	McCurdy	Silverman
Appleton	Goodman	McBus	Spencer
Bair	Gring	Mifflin	Staudler
Barber	Haudenschild	Miller, M. E.	Tayoun
Bellomini	Hornor	Miller, P. W.	Torak
Beren	Hornor	Needham	Valicenti
Berkas	Irvin	Nicholson	Wargo
Bonetto	Johnson, G.	Novak	Wilt, R. E.
Burkhardt	Johnson, T.	O'Brien, B.	Wise
Butera	Kahle	O'Brien, F.	Wojdak
Caputo	Kaufman	O'Connell	Worrlow
Crawford	Kelly	Panocost	Wright
Crowley	Kester	Parker	Yohn
Dager	Laudadio	Perry	Zearfoss
DeMedio	Lutty	Pezak	Zord
Donaldson	Lynch, Frank	Pievsky	
Dorsey	Malady	Renninger	Fineman, Speaker
Fee	Manbeck	Savitt	
Gallagher	Manderino	Scanlon	

NAYS—115

Alexander	Geesey	Lee	Schmitt
Allen, W. W.	Gekas	Lehr	Seltzer
Anderson, J. H.	Gelfand	Lynch, Francis	Shelhamer
Bachman	George	McAnery	Shelton
Beloff	Gillette	McGraw	Sherman
Bennett	Gola	McMonagle	Shuman
Berson	Good	Meholchick	Shupnik
Bittle	Gross	Melton	Slack
Bixler	Halverson	Moore	Smith
Blair	Hamilton, J. H.	Moscip	Snare
Bossert	Hamilton, R. K.	Murphy	Steckel
Brunner	Harrier	Murtha	Steele
Bush	Hayes	Musto	Stemmler
Claypool	Headlee	Nitrouer	Stone
Comer	Hepford	Nolan	Sullivan
Coppolino	Hetrick	O'Pake	Taylor
Davis, D.	Hill	Piper	Tiberi
Davis, R.	Holman	Pittenger	Vann
Dininni	Hopkins	Quiles	Walsh
Dwyer	Hutchinson	Renwick	Wansacz
Eckensberger	Johnson, J.	Reynolds	Weidner
Engelhart	Kennedy	Rieger	Westerberg
Fee	Kernaghan	Ritter	Wilson
Frank	Kistler	Ruane	Wilt, R. W.
Geisler	Kotler	Ruggiero	Wilt, W. W.
Gelfand	Kury	Rush	Worley
Gillette	Kowalshyn	Ryan	Yakner
	Fulmer	Rybak	Zimmerman
	Gallen	Saloom	

NOT VOTING—10

DeJoseph Engelhart Fenrich	Greenfield Martino Mullen	O'Donnell Polaski	Prendergast Thomas
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Less than the majority required by the constitution having voted in the affirmative, the question was determined in the negative and the bill falls.

Agreeable to order,

The House proceeded to the consideration on final passage of **House bill No. 859, printer's No. 1565, entitled:**

An Act authorizing the Water and Power Resources Board to sell and convey a tract of ground in the bed of the Delaware River between Buckius Street and the former entrance to Frankford Creek, Philadelphia, Pennsylvania, to the Rohm and Haas Company of Philadelphia for the expansion of its Philadelphia plant.

On the question,

Shall the bill pass finally?

Agreeable to the provisions of the constitution, the yeas and nays were taken and were as follows:

YEAS—161

Allen, F. M.	Geisler	Lynch, Francis	Ritter
Allen, W. W.	Gekas	Lynch, Frank	Ruane
Anderson, S. A.	Gelfand	Mabody	Ruggiero
Appleton	George	Manbeck	Rush
Bachman	Gillette	Manderino	Ryan
Bair	Gleeson	McAneny	Rybak
Barber	Gola	McClatchy	Saloun
Bellomini	Goodman	McCurdy	Savitt
Beloff	Gring	McCraw	Scanlon
Beren	Gross	McMonagle	Schmitt
Berkes	Hamilton, J. H.	Mebus	Semanoff
Berson	Hamilton, R. K.	Meholchick	Shelshamer
Bitto	Harrier	Melton	Shelton
Blair	Haudenschild	Millin	Sherman
Bonetto	Hayes	Miller, M. R.	Shuman
Brunner	Headlee	Miller, P. W.	Shupnik
Burkardt	Hepford	Moore	Smith
Bush	Hetrick	Moscrip	Steeckel
Butera	Hill	Murphy	Steele
Caputo	Holman	Murtha	Stemmler
Comer	Homer	Musto	Stone
Coppolino	Hopkins	Needham	Sullivan
Crawford	Horner	Nicholson	Taylor
Crowley	Hutchinson	Nitrauer	Tayoun
Dager	Irvic	Nolan	Torak
Davis, D.	Johnson, G.	Novak	Vallcenti
Davis, R.	Johnson, J.	O'Brien, B.	Vann
DeMedio	Johnson, T.	O'Brien, F.	Wansacz
Dininni	Kaufman	O'Connell	Wargo
Donaldson	Kelly	O'Pake	Westerberg
Dorsey	Kernaghan	Pancoast	Wise
Dwyer	Kester	Parker	Wojdak
Eckensberger	Kistler	Perry	Worley
Eshback	Koller	Pezak	Worlrow
Fee	Kowalshyn	Pievsky	Wright
Fischer	Kury	Pittenger	Yohn
Frank	LaMarea	Prendergast	Zearfoss
Fryer	Laudadio	Quiles	
Fuhrer	Lawson	Renninger	Fineman,
Gallagher	Lee	Renwick	Speaker
Gallen	Lutty	Rieger	

NAYS—32

Alexander	Geesey	Seltzer	Weidner
Anderson, J. H.	Good	Silverman	Wilson
Bennett	Halverson	Slack	Will, J. E.
Bixler	Kahle	Snare	Will, R. W.
Bossert	Kennedy	Spencer	Witt, W. W.
Claypoole	Lehr	Stauffer	Yahner
Foor	Piper	Tiberi	Zimmerman
Fox	Reynolds	Walsh	Zord

NOT VOTING—9

DeJoseph Engelhart Fenrich	Greenfield Martino	Mullen O'Donnell	Polaski Thomas
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The majority required by the constitution having voted

in the affirmative, the question was determined in the affirmative.

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

Agreeable to order,

The House proceeded to the consideration on final passage of **House bill No. 1010, printer's No. 1535, entitled:**

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), authorizing restaurants to extend credit to holders of certain credit cards and authorizing the use of certain checks and drafts.

On the question,

Shall the bill pass finally?

Agreeable to the provisions of the constitution, the yeas and nays were taken and were as follows:

YEAS—129

Allen, F. M.	Gallen	McCurdy	Rybak
Anderson, S. A.	Geisler	McGraw	Savitt
Bachman	Gekas	McMonagle	Scanlon
Barber	Gelfand	Mebus	Schmitt
Bellomini	Gleeson	Meholchick	Shelton
Beloff	Gola	Melton	Sherman
Beren	Good	Millin	Shupnik
Berkes	Goodman	Moscrip	Silverman
Berson	Gross	Murphy	Slack
Bitto	Halverson	Murtha	Snare
Blair	Haudenschild	Musto	Stauffer
Bonetto	Headlee	Needham	Steeckel
Brunner	Hepford	Nicholson	Steele
Burkardt	Bush	Hetrick	Stemmler
Bush	Butera	Homer	Stone
Caputo	Comer	Hopkins	Sullivan
Crawford	Crowley	Irvic	Tayoun
Crowley	Dager	Kaufman	Torak
Dager	DcMedio	Kelly	Vann
Davis, D.	Dininni	Kernaghan	Wansacz
Davis, R.	Donaldson	Kester	Wargo
DeMedio	Dorsey	Kowalshyn	Westerberg
Dininni	Dwyer	Kury	Wise
Donaldson	Eckensberger	LaMarea	Wojdak
Dorsey	Eshback	Laudadio	Worley
Dwyer	Fee	Lawson	Worlrow
Eckensberger	Fischer	Lee	Wright
Eshback	Frank	Lutty	Yohn
Fee	Fryer	Lynch, Francis	Zearfoss
Fischer	Gallagher	Lynch, Frank	
Frank		Malady	Ritter
Fryer		Manderino	Ruggiero
Gallagher		McClatchy	Rush
Gallen			Ryan

NAYS--64

Alexander	George	Kistler	Shelshamer
Allen, W. W.	Gillette	Koller	Shuman
Anderson, J. H.	Gring	Lehr	Smith
Appleton	Hamilton, J. H.	Manbeck	Spencer
Bair	Hamilton, R. K.	McAneny	Taylor
Bennett	Harrier	Miller, M. E.	Tiberi
Bixler	Hayes	Miller, P. W.	Torak
Blair	Hill	Moore	Walsh
Bossert	Holman	Nitrauer	Westerberg
Claypoole	Horner	Parker	Witt, R. E.
Coppolino	Hutchinson	Pittenger	Witt, R. W.
Davis, D.	Johnson, C.	Reynolds	Wise
Davis, R.	Johnson, J.	Ruane	Worley
Foor	Johnson, T.	Saloun	Yahner
Fulmer	Kahle	Seltzer	Zimmerman
Geesey	Kennedy	Semanoff	Zord

NOT VOTING—9

DeJoseph Engelhart Fenrich	Greenfield Martino	Mullen O'Donnell	Polaski Thomas
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The majority required by the constitution having voted in the affirmative, the question was determined in the affirmative.

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

SPONSORSHIP WITHDRAWN

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, my name appears as a sponsor of House bill No. 171, printer's No. 1562, and until an amendment was voted by this House to that bill, I was proud to have my name as a sponsor of that measure. I now, however, Mr. Speaker, move that my name, the name of the Speaker, and the name of the majority whip, Mr. Prendergast, be stricken as sponsors from House bill No. 171, printer's No. 1562.

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

The SPEAKER. In connection with House bill No. 176 which will go over today, the Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I make the same motion that I made on House bill No. 171, the motion to strike my name, the Speaker's name and the name of the majority whip, Mr. Prendergast, as sponsors of House bill No. 176, printer's No. 1563.

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

BILLS ON THIRD CONSIDERATION

Agreeable to order,
The House proceeded to third consideration of House bill No. 749, printer's No. 869, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 309), including child nutrition program specialists within the term "professional employees."

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

And said bill having been considered on three different days and agreed to,

On the question,
Shall the bill pass finally?

Agreeable to the provisions of the constitution, the yeas and nays were taken and were as follows:

YEAS—138

Allen, F. M.	Gelfand	Malsdy	Rybak
Allen, W. W.	George	Manbeck	Saloom
Anderson, S. A.	Gillette	Manderino	Savitt
Bachman	Gleeson	McAneny	Scanlon
Barber	Goodman	McCurdy	Schmitt
Bellomini	Gross	McGraw	Semanoff
Bennett	Halverson	McMonagle	Shelhamer
Berkes	Hamilton, R. K.	Meholchick	Shelton
Berson	Haudenschild	Melton	Sherman
Bittle	Hayes	Mifflin	Shuman
Bixler	Headlee	Miller, M. E.	Shupnik
Blair	Hetrick	Miller, P. W.	Silverman
Bonetto	Holman	Moore	Szare
Brunner	Homer	Murtha	Spencer
Bush	Hopkins	Musto	Steele
Caputo	Hutchinson	Needham	Stemmler
Claypoole	Irvis	Nolan	Stone
Comer	Johnson, G.	Novak	Sullivan
Crowley	Johnson, J.	O'Brien, B.	Taylor
Dager	Johnson, T.	O'Brien, F.	Tayoun
Davis, D.	Kaufman	O'Connell	Tiberi
Davis, R.	Kelly	O'Pake	Valicenti
DeMedio	Kennedy	Perry	Vann

Donaldson	Kernaghan	Pezak	Walsh
Dorsey	Kester	Pievsky	Wansacz
Dwyer	Kotter	Pittenger	Wargo
Eckensberger	Kowalyszyn	Prendergast	Will, R. W.
Englehart	Kury	Quiles	Wojdak
Eshback	LaMarca	Renninger	Worley
Fee	Laudadio	Renwick	WorriLOW
Fischer	Lawson	Rieger	Wright
Frank	Lee	Ritter	Yalmer
Fryer	Lutty	Ruggiero	
Gallagher	Lynch, Francis	Rush	Fineman,
Geisler	Lynch, Frank	Ryan	Speaker

NAYS—55

Alexander	Fulmer	Lehr	Smith
Anderson, J. H.	Gallen	McClatchy	Stauffer
Appleton	Geesey	Mebus	Steckel
Bair	Gekas	Moscip	Torak
Beloff	Gola	Murphy	Weidner
Beren	Good	Nicholson	Westerberg
Bessort	Gring	Nitauer	Wilson
Burkardt	Hamilton, J. H.	Pancoast	Will, R. E.
Butera	Harrier	Parker	Will, W. W.
Coppolino	Hepford	Piper	Yohn
Crawford	Hill	Reynolds	Zearfoss
Dinimai	Horner	Ruane	Zimmerman
Foor	Kable	Seltzer	Zord
Fox	Kistler	Slack	

NOT VOTING—9

DeJoseph	Martino	O'Donnell	Thomas
Fenrich	Mullen	Polaski	Wise
Greenfield			

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.

Agreeable to order,

The House proceeded to third consideration of House bill No. 885, printer's No. 1414, entitled:

An Act amending the "Capital Budget Act for the 1968-1969 Fiscal Year," approved July 20, 1968 (Act No. 218), adding additional projects.

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

And said bill having been considered on three different days and agreed to,

On the question,
Shall the bill pass finally?

Agreeable to the provisions of the constitution, the yeas and nays were taken and were as follows:

YEAS—127

Allen, F. M.	Gillette	McGraw	Rybak
Allen, W. W.	Gleeson	McMonagle	Savitt
Bachman	Goodman	Mebus	Scanlon
Bellomini	Gring	Meholchick	Schmitt
Bennett	Hamilton, R. K.	Melton	Seltzer
Beren	Haudenschild	Mifflin	Semanoff
Berkes	Headlee	Miller, M. E.	Sherman
Berson	Hepford	Miller, P. W.	Shupnik
Bittle	Hetrick	Murtha	Silverman
Blair	Homer	Musto	Spencer
Bonetto	Hopkins	Noodham	Stauffer
Brunner	Horner	Nicholson	Steele
Burkardt	Hutchinson	Nitauer	Stemmler
Bush	Irvis	Nolan	Stone
Butera	Johnston, T.	Novak	Sullivan
Caputo	Kaufman	O'Brien, B.	Tayoun
Claypoole	Kelly	O'Brien, F.	Torak
Comer	Kernaghan	O'Connell	Valicenti
Crowley	Kester	O'Pake	Walsh
Dager	Kistler	Pancoast	Wansacz
Davis, D.	Kowalyszyn	Parker	Wargo
Davis, R.	LaMarca	Perry	Westerberg
DeMedio	Laudadio	Pezak	Will, R. E.

Donaldson	Lee	Plevsky	Wilt, R. W.
Dorsey	Lutty	Pittenger	Wojdak
Dwyer	Lynch, Francis	Prendergast	Worrlow
Englehart	Lynch, Frank	Reininger	Yahner
Fee	Malady	Renwick	Yohn
Fulmer	Manbeck	Rieger	Zearfoss
Gallagher	McAneny	Ruggiero	
Geisler	McClatchy	Rush	Fineman, Speaker
Gelfand	McCurdy	Ryan	
George			

Dorsey	Lutty	Benninger	Wojdak
Dwyer	Lynch, Francis	Benwick	Worrlow
Eckensberger	Lynch, Frank	Reynolds	Wright
Englehart	Malady	Rieger	Yahner
Eshbaek	Manderino	Ritter	Yohn
Fee	McAneny	Ruggiero	Zearfoss
Fischer	McClatchy	Rush	
Frank	McCurdy	Ryan	Fineman, Speaker
Fryer	McMonagle	Bybak	
Gallagher	Mebus	Savitt	

NAYS—65

Alexander	Fryer	Kennedy	Shelton
Anderson, J. H.	Gallon	Kotler	Shuman
Appleton	Geesey	Kury	Stack
Bair	Gekas	Lawson	Smith
Barber	Gola	Lehr	Snare
Beloff	Good	Manderino	Steckel
Bixler	Gross	Moore	Taylor
Bossert	Halverson	Moscrip	Tiberi
Coppolino	Hamilton, J. H.	Murphy	Vann
Davis, R.	Harrier	Piper	Weidner
Dinnini	Hayes	Quiles	Wilson
Eckensberger	Hill	Reynolds	Wilt, W. W.
Eshbaek	Holman	Ritter	Worley
Fischer	Johnson, G.	Ruane	Wright
Foor	Johnson, J.	Saloom	Zimmerman
Fox	Kahle	Shelhamer	Zord
Frank			

NOT VOTING—10

Anderson, S. A.	Greenfield	O'Donnell	Thomas
DeJoseph	Martino	Polaski	Wise
Fenrich	Mullin		

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.

Agreeable to order,

The House proceeded to third consideration of House bill No. 1009, printer's No. 1159, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90), providing for the sale of gift certificates by Pennsylvania Liquor Stores.

On the question,

Will the House agree to the bill on third consideration?

It was agreed to.

And said bill having been considered on three different days and agreed to,

On the question,

Shall the bill pass finally?

Agreeable to the provisions of the constitution, the yeas and nays were taken and were as follows:

YEAS—121

Allen, F. M.	Gallon	Meholich	Scanlon
Anderson, S. A.	Geisler	Mellon	Shelton
Bachman	Gelfand	Mifflin	Sherman
Barber	Gleeson	Murphy	Shupnik
Bellomini	Goodman	Murtha	Silverman
Beloff	Gross	Musto	Slack
Beren	Hamilton, R. K.	Needham	Stauffer
Berkes	Haudenschild	Nicholson	Steckel
Berson	Hayes	Nolan	Steele
Bixler	Hopkins	Novak	Stenmeter
Bonetto	Irvic	O'Brien, B.	Stone
Brunner	Johnson, G.	O'Brien, F.	Sullivan
Burkardt	Johnson, J.	O'Connell	Tayoun
Butera	Kaufman	O'Pake	Torak
Caputo	Kelly	Perry	Valicenti
Comer	Kernaghan	Pezak	Vann
Crawford	Kuster	Plevsky	Wansacz
Crowley	Kowalshyn	Piper	Wargo
Dager	LaMarca	Pittenger	Weidner
Davis, R.	Laudadio	Prendergast	Wilson
Donaldson	Lawson	Quiles	Wise

NAYS—73

Alexander	Gekas	Kable	Schmitt
Allen, W. W.	George	Kennedy	Seitzer
Anderson, J. H.	Gillette	Kistler	Semanoff
Appleton	Gola	Kotler	Shelhamer
Bair	Good	Kury	Shuman
Bennett	Gring	Lee	Smith
Bittle	Halverson	Lehr	Snare
Blair	Hamilton, J. H.	Manbeck	Spencer
Bossert	Harrier	McGraw	Taylor
Bush	Headlee	Miller, M. E.	Tiberi
Claypoole	Hepford	Miller, P. W.	Walsh
Coppolino	Herrick	Moore	Westerberg
Davis, D.	Hill	Moscrip	Wilt, R. E.
DeMedio	Holman	Nittrouer	Wilt, R. W.
Dinnini	Homer	Pancoast	Wilt, W. W.
Foor	Horner	Parker	Worley
Fox	Hutchinson	Ruane	Zimmerman
Fulmer	Johnson, T.	Saloom	Zord
Geesey			

NOT VOTING—8

DeJoseph	Greenfield	Mullen	Polaski
Fenrich	Martino	O'Donnell	Thomas

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.

CONCURRENCE IN SENATE AMENDMENTS TO HOUSE BILL No. 164

Mr. IRVIS. Mr. Speaker, I call up for concurrence in Senate amendments on page 18 of today's calendar, House bill No. 164, printer's No. 1440.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 164

An Act amending the act of May 22, 1935 (P. L. 233), entitled "An act creating and establishing a fund for the care, maintenance and relief of aged, retired and disabled employees of the Bureau of Police in cities of the second class; . . ." changing the amount of payments to certain beneficiaries and providing for payments to additional beneficiaries.

With the information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendment.

The clerk read the following amendment:

Amend Section 1, page 3, line 11, by deleting "fifty-six" and inserting in lieu thereof "fifty-nine"

On the question,

Will the House concur in the amendment made by the Senate?

Mr. IRVIS. Mr. Speaker, I request that the House do

concur in the amendment made by the Senate to House bill No. 164.

Agreeable to the provisions of the constitution, the yeas and nays were taken and were as follows:

YEAS—194

Alexander	Gallen	Lynch, Frank	Savitt
Allen, F. M.	Geesey	Malady	Scanlon
Allen, W. W.	Goisler	Manbeck	Schmitt
Anderson, J. H.	Gokas	Manderino	Seltzer
Anderson, S. A.	Golfand	McAneny	Semanoff
Appleton	George	McClatchy	Shelhamer
Bachman	Gillette	McCurdy	Shelton
Bair	Gleeson	McCraw	Sherman
Barber	Gola	McMonagle	Sluman
Bellomini	Good	Mebus	Shupnik
Beloff	Goodman	Meholchick	Silverman
Bennett	Gring	Melton	Slack
Beren	Gross	Mifflin	Smith
Berkes	Halverson	Miller, M. E.	Snare
Berson	Hamilton, J. H.	Miller, P. W.	Spencer
Bittle	Hamilton, R. K.	Moore	Stauffer
Bixler	Harrier	Moscrip	Steckel
Blair	Haudenshield	Murphy	Steele
Bonetto	Hayes	Murtha	Stemmler
Bossert	Headlee	Musto	Stone
Brauner	Hepford	Needham	Sullivan
Burkardt	Hetrick	Nicholson	Taylor
Bush	Hill	Nitrauer	Tayoun
Butera	Holman	Nolan	Tiberi
Caputo	Horner	Novak	Torak
Claypoole	Hopkins	O'Brien, B.	Valicenti
Comar	Horner	O'Brien, F.	Vann
Coppolino	Hutchinson	O'Connell	Walsh
Crawford	Irvis	O'Pake	Wansacz
Crowley	Johnson, G.	Pancoast	Wargo
Dager	Johnson, J.	Parker	Weidner
Davis, D.	Johnson, T.	Perry	Westerberg
Davis, R.	Kahle	Pezak	Wilson
DeMedio	Kaufman	Pieusky	Wilt, R. E.
Dininni	Kelly	Piper	Wilt, R. W.
Donaldson	Kennedy	Pittenger	Wilt, W. W.
Dorsey	Kernaghan	Prendergast	Wise
Dwyer	Kester	Quilco	Wojdak
Eckensberger	Kistler	Renninger	Worley
Englehart	Kolter	Renwick	Worrilow
Eshback	Kowalshyn	Reynolds	Wright
Fee	Kury	Ricgr	Yahner
Fischer	LaMarca	Ritter	Yohn
Foor	Laudadio	Ruane	Zearfoss
Fox	Lawson	Ruggiero	Zimmerman
Frank	Lee	Rush	Zord
Fryer	Lehr	Ryan	
Fulmer	Lutty	Rybak	Fineman,
Gallegher	Lynch, Francis	Saloom	Speaker

NAYS—0

NOT VOTING—8

DeJoseph	Greenfield	Mullen	Polaski
Fenrich	Martino	O'Donnell	Thomas

The majority required by the constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the clerk inform the Senate accordingly.

CONCURRENCE IN SENATE AMENDMENTS TO HOUSE BILL No. 835

Mr. IRVIS. Mr. Speaker, I call up for concurrence in Senate amendments on page 18 of today's calendar, House bill No. 835, printer's No. 1513.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 835

An Act amending the act of December 22, 1959 (P. L. 1978), entitled, as amended, "State Harness Racing Law," extending for a further period taxes on revenues of such plants for general school purposes in school districts of the first class.

With the information that the Senate has passed the same with amendments in which the concurrence of the House of Representatives is requested.

The SPEAKER. The clerk will read the amendments.

The clerk read the following amendments:

Amend Title, page 1, line 9 of title, by striking out after "appropriations," the words "imposing permanent" and inserting in lieu thereof "extending for a further period"

Amend Section 1, page 2, line 10, by striking out the bracket before "during"; line 11, by deleting after "1968" the word "and" and by striking out the bracket after "1969" and inserting immediately thereafter "1970 and 1971"; line 18, by striking out the bracket before "during"; line 19, by deleting at the beginning of the line the word "and" and by striking out the bracket after "1969" and inserting immediately thereafter "1970 and 1971"

On the question,

Will the House concur in the amendments made by the Senate?

The SPEAKER. The Chair recognizes the majority floor leader.

Mr. IRVIS. Mr. Speaker, I ask that the House do non-concur in the amendments inserted in House bill No. 835, printer's No. 1513, and therefore I ask for a negative vote on the motion.

The SPEAKER. The Chair recognizes the minority floor leader.

Mr. DONALDSON. Mr. Speaker, I would ask the Republican members to vote "aye" for concurrence in the Senate amendment. This is a motion which requires 102 votes. I would ask the Republican members to vote in the affirmative for concurrence.

On the question recurring,

Will the House concur in the amendments?

Agreeable to the provisions of the constitution, the yeas and nays were taken and were as follows:

YEAS—94

Alexander	Foor	Kester	Saloom
Allen, F. M.	Fox	Kistler	Seltzer
Allen, W. W.	Fulmer	Lee	Semanoff
Anderson, J. H.	Gallen	Lehr	Slack
Appleton	Geesey	Lynch, Frank	Smith
Bair	Gokas	Manbeck	Snare
Beloff	George	McClatchy	Spencer
Beren	Gola	McCurdy	Stauffer
Bittle	Good	Mebus	Steckel
Bossert	Gring	Mifflin	Torak
Burkardt	Halverson	Miller, M. E.	Weidner
Bush	Hamilton, J. H.	Moore	Westerberg
Butera	Harrier	Moscrip	Wilson
Claypoole	Haudenshield	Nicholson	Wilt, R. E.
Coppolino	Hayes	Nitrauer	Wilt, R. W.
Crawford	Hepford	O'Connell	Wilt, W. W.
Dager	Hill	Pancoast	Worley
Davis, R.	Holman	Parker	Worrilow
Dininni	Hopkins	Piper	Wright
Donaldson	Horner	Renninger	Yohn
Dorsey	Johnson, G.	Reynolds	Zearfoss
Dwyer	Kahle	Ruane	Zimmerman
Eshback	Kennedy	Ryan	Zord
Fischer	Kernaghan		

NAYS—100

Anderson, S. A.	Goodman	Melton	Schmitt
Bachman	Gross	Miller, P. W.	Shelhamer

Barber	Hamilton, R. K.	Murphy	Shelton
Bellomint	Hedlee	Murtha	Sherman
Bennett	Hetrick	Musto	Shuman
Berkes	Homer	Needham	Shupnik
Berson	Hutchinson	Nolan	Silverman
Bixler	Irvia	Novak	Steele
Blair	Johnson, J.	O'Brien, B.	Stemmler
Bonetto	Johnson, T.	O'Brien, F.	Stono
Brunner	Kaufman	O'Pake	Sullivan
Caputo	Kelly	Perry	Taylor
Comer	Kolter	Pezak	Tayoun
Crowley	Kowalshyn	Plevsky	Tiberi
Davis, D.	Kury	Pittenger	Valleenti
DeMedio	LaMarca	Prendergast	Vann
Eckensberger	Laudadio	Quiles	Walsh
Englehart	Lawson	Renwick	Wansacz
Fine	Lutty	Rieger	Wargo
Frank	Lynch, Francis	Ritter	Wise
Fryer	Malady	Ruggiero	Wojdak
Gallagher	Mandorino	Rush	Yahner
Geisler	McAneny	Rybak	
Gilland	McGraw	Savitt	Fineman,
Gillette	McManagle	Scanlon	Speaker
Gleeson	Meholchick		

NOT VOTING—8

DeJoseph	Greenfield	Mullen	Polaski
Fenrich	Martino	O'Donnell	Thomas

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

Ordered, That the clerk inform the Senate accordingly.

RESOLUTION

The SPEAKER. The gentleman from Allegheny, Mr. Irvia, calls up **House resolution No. 90, printer's No. 1395, entitled:**

Commending the Ways and Means Committee of the United States House of Representatives for its efforts to improve the equity of the Federal personal income tax.

On the question,

Will the House adopt the resolution?

It was adopted.

BILLS PASSED OVER

The SPEAKER. Without objection, all remaining bills on today's calendar will be passed over. The Chair hears no objection.

BILL REREFERRED

Mr. COMER from the Committee on State Government, returned with the recommendation that it be rereferred to the Committee on Rules, **House bill No. 1193, printer's No. 1393, entitled:**

An Act amending the "Pennsylvania Human Relations Act," approved October 27, 1955 (P. L. 744), providing for the appointment of hearing examiners for hearings required to be held by the Commission.

The SPEAKER. The bill is rereferred to the Committee on Rules.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority floor leader.

Mr. IRVIA. Two things, Mr. Speaker: I would like to call the attention of the House to the fact that we are still awaiting word from the Senate as to whether or not an emergency deficiency appropriation of \$7 million for the Welfare Department is going to be passed today. The indications are that it will not be, but we still have to make sure officially that that is so.

Secondly, I believe the gentleman from Philadelphia, Mr. Melton, asked for the floor to make a brief statement.

PERMISSION TO ADDRESS HOUSE

Mr. MELTON requested and obtained unanimous consent to address the House.

Mr. MELTON. In recent months there has been a wave of juvenile unrest and vicious gang confrontations in our city streets which to date has resulted in the senseless and brutal killings of 21 of our young people. I rise today, Mr. Speaker, to vigorously protest and denounce this type of barbaric and anti-social activity that is now being carried out in its present form. By virtue, Mr. Speaker, of being a young black legislator and representing approximately 56,000 persons from a highly under-privileged area, of which I am a life-long resident, I rise today to appeal to the individual gangs and gang members throughout the city as well as to those throughout this Commonwealth, and I direct my remarks at this point to them:

I ask that the gangs and gang members turn from the error of their evil ways as they are doing nothing more than making the only life that they have as miserable as possible for themselves as well as for those around them. I feel that I am able to communicate with you because we are almost of the same generation, I being age 26, which scares me sometimes, because I am only four years away from being 30. I have, however, gone through the same frustrations which you are going through.

I know what the problems and disappointments are as they are associated with the ghetto and ghetto living. I know because I have lived and I am currently living these problems. I have not, upon reaching some degree of success, run away from the problems as they exist, but rather I have stayed in the neighborhood, your neighborhood and my neighborhood, and I am endeavoring to offer whatever talents that I may possess to aid us in our struggle for a better way of life, both for our families, our loved ones and ourselves.

I am familiar with the daily trials and frustrations that you, my people, have to contend with every day of your lives. We have been used, misused, abused and exploited. We have been held back educationally, and many of our children are currently being forced to follow suit. We have been denied decent jobs which command decent salaries, coupled with the 1,001 other atrocities and personal prejudices that have been perpetrated upon us and against us by our fellow man, which adds further to these frustrations that I speak of. I know what it is like to live in the ghetto because I am a product of the ghetto. Oftentimes one might hear me say that the area in which I live might be Tobacco Road, but make no mistake, it is home. I know what it is to know hunger and want because I have lived it. I know what it is to strive to live from week to week on a meager salary while having to provide for a family. I am living it. I know what it is like to have to suffer disappointment after disappointment from society in general because one's skin is black. I deplore it, but I do recognize the fact that society, while slowly realizing their mistakes by way of injustices of the past and present, is currently making a genuine and sincere effort to help you, my people, to improve our condition. I see this more and more every day. I say to them, thanks so much and I welcome it.

I never felt sorry for myself, but rather I have work-

ed doubly hard and began at an early age to improve my own condition. When many of my teenage friends were working towards becoming juvenile delinquents and making the police blotter, I was generating my energies towards taking my place in life, as well as working after school and during the summer to obtain the necessary funds to provide for my teenage needs. Everything that I have, I have worked hard for, including my seat in this distinguished State House of Representatives. Nothing came easy, and in spite of many bitter setbacks, I always kept the faith and managed to turn despair into hope, bitterness into love, and idle time into money. It is my hope that the boys out there on the street corners will set their sights as I did mine and endeavor to bring about those things which they so rightly and justly deserve. My situation is not much different from theirs, even now. However, I look back and find that I was much more responsible at their ages—and I consequently say your ages—than many of you are today. To give a typical example, my associates and I always respected the rights of other individuals. We never took to the streets like mad men and willfully destroyed the life or property of another. I find where some of the guys are doing everything from painting their nicknames on the walls of our neighbors' houses to stabbing and killing each other as if it were going out of style. In either case, these fellows are not very smart, and I cite these reasons:

First, society is not going to sit idly by and let you run amuck through its streets inflicting property damage and death.

Second, we have in Philadelphia, under the direction of Police Commissioner Frank Rizzo, the most competent, efficient and highly specialized police force in these United States. This is an established and undisputed fact.

To further typify how unrealistic some of you guys are, there has not been to date a gang murder where the police have not grabbed the suspect, who many times is pointed out by fellow members of his own gang, and the police know the names and whereabouts of every gang member in this city, barring none. This information has been supplied by you gang members yourselves, by way of spraying your names with paint on the walls of your neighbors' houses, our schools, both inside and outside, our theatres, churches, buses, elevator interiors, subway trains, et cetera.

Fellows, no man or woman has the moral right or God-given privilege to take the life of another, and because of this I beg that you, the gang members of this city, cease and desist from all killings and other acts of violence immediately. I appeal to the gang leaders themselves to act within their respective capacity as leaders to disband their gang and come back together as a social group bent on adhering to law and order which would gain social acceptance rather than social rejection.

I had prepared legislation, which I since decided against introducing, that would have abolished the death penalty in this State, and in its stead provided a mandatory 30- to 60-year prison sentence for those individuals guilty of first-degree murder. That bill would have also amended the Juvenile Code to include those individuals age 15 through 21, inclusive. I admit that this piece of legislation was drawn up in anger, and knowing this, I have refrained from introducing same. Instead, I am introducing a resolution today which would bring this distinguished House of Representatives into the mainstream of the problem. I am asking the Speaker to appoint a committee of nine

members to investigate the problems of juvenile unrest in our urban areas and to make recommendations to the General Assembly and agencies of our government aimed towards its elimination.

In the meantime, I appeal to the young ladies to reject the company and friendship of those fellows who either do not want to conform to sensible behavior or are too dense in their thinking to see that he or she is on the verge of destroying his own life. I wish to remind you that first-degree murder presently carries a penalty of either death in the electric chair or life imprisonment. Our city streets cannot and will not be used as a battleground by teenage gangs or anyone else. I am unalterably opposed to any man, woman or child having to fear at the risk of their lives to travel from their homes to the corner store or to and from work, church or play, because of the threats of the senseless gang wars and killings.

To further support my position on this, let it be fervently understood that I shall support any appropriate measure that will guarantee to the people of this city and this Commonwealth, streets that are free from gang wars, muggings and killings.

I take this opportunity, Mr. Speaker, to commend Mayor James H. J. Tate of Philadelphia for the excellent manner in which he handled the potentially explosive situation of last summer. The interest and foresight coupled with the initiative that was demonstrated by him over the past summer truly exemplified the peace and tranquility that can be achieved in Philadelphia as well as other cities, large and small, within this Commonwealth. I am sure that all Philadelphians join me in echoing these sentiments. I call upon Mayor Tate to implement once again the jobmobile program that was so successful during the summer of last year and appeal further to the business community to provide jobs to accommodate as many of the hard-core unemployed as well as for the idle teenagers who need both summer jobs as well as full-time and permanent employment.

I think that Mayor Tate has shown us that as long as we are able to keep idle hands and minds busy, little or no time is left for the anti-social activity which is now evident.

I am concerned about the problems of juvenile unrest, Mr. Speaker, and I know that you are too. I ask that we give more than lip service to our mutual concern and at least make a beginning with the passage of this resolution, which might just possibly get to the root of the problem which we can no longer ignore.

Thank you, Mr. Speaker.

STATEMENT BY MR. KAUFMAN

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

Mr. KAUFMAN. Mr. Speaker, I have here a public employees bill modeled after the Hickman Commission, which we hope to introduce tomorrow. It will be available for anyone's signature in my office starting at 10 a.m. tomorrow morning, in Room 620. We welcome bipartisan sponsorship.

ADJOURNMENT

Mr. DWYER moved that this House do now adjourn until Tuesday, June 17, 1969, at 1 p.m., e.d.t.

The motion was agreed to, and (at 8:15 p.m., e.d.t.) the House was adjourned.