

HOUSE OF REPRESENTATIVES

TUESDAY, April 1, 1941

The House met at 1:00 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. DONALD McFALL offered the following prayer:

O God, our heavenly Father, we pray that through Thy Holy Spirit we may receive sufficient strength to keep us faithful in times of perplexity; that out of confusion may come renewal of confidence; and that from our renewed hope may issue a deeper and a surer faith. Help us to estimate aright our partnership with Thee and share through humble service the burden of the world's need. Hear our prayer we beseech Thee, Our Father and our God. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. RUSSELL E. REESE, unanimously agreed to, the further reading was dispensed with and the Journal approved.

BILLS INTRODUCED AND REFERRED

By Messrs. STOCKHAM and YEAKEL.

HOUSE BILL No. 1035.

An Act to further amend clause ten of section one of the act, approved the twenty-seventh day of June, one thousand nine hundred and twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," further defining "new member."

Referred to the Committee on State Government.

By Mr. LLOYD H. WOOD. HOUSE BILL No. 1036.

An Act to amend subsection (b) of section sixteen of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 429), entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," by providing that in cases where the spouse of the natural parent shall adopt the child of such natural parent, the natural parent shall retain his or her status as such, and shall, for purposes of inheritance and devolution, be regarded as an adopting parent.

Referred to the Committee on Judiciary General.

By Mr. AUKER. HOUSE BILL No. 1037.

An Act to amend Sections 103, 104, to add Section 201.1 to amend Section 305, Subsections (a) (c) and (h) of Section 306, and Sections 307 and 308 of the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled as amended "An act defining the lia-

bility of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," as reenacted and amended, changing the provisions of said act as to employers and employes to be effected thereby; and imposing additional penalties, and additional duties upon employers as to posting notices; changing certain legal presumptions, rules of evidence, and compensation payments.

Referred to the Committee on Workmen's Compensation.

By Mr. MODELL.

HOUSE BILL No. 1038.

An Act making it unlawful for any individual, partnership, association or corporation, to carry on or conduct any business in this Commonwealth, unless there is displayed on the exterior of such establishment, the identity of the owner; and providing penalties.

Referred to the Committee on Judiciary General.

By Mr. MODELL.

HOUSE BILL No. 1039.

An Act to further amend section one of the act, approved the twenty-fourth day of May, one thousand eight hundred and ninety-three (P. L. 129), entitled "An act to empower boroughs and cities to establish a police pension fund, to take property in trust therefor and regulating and providing for the regulation of the same," by further regulating retirement allowances.

Referred to the Committee on Cities—First Class.

By Mr. VAN ALLSBURG.

HOUSE BILL No. 1040.

An Act to further amend subsections (a) and (b) of section one thousand two hundred five of the act, approved the eighteenth day of May, one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," further regulating the dismissal and suspension of professional employes.

Referred to the Committee on Education.

By Mr. VAN ALLSBURG.

HOUSE BILL No. 1041.

An Act making an appropriation to the Department of Agriculture for use in investigating, controlling, combating and exterminating the Grape-Berry moth (Polychrosis viteana).

Referred to the Committee on Appropriations.

By Mr. JAMES.

HOUSE BILL No. 1042.

An Act to amend section sixteen of the act, approved the seventeenth day of June, one thousand nine hundred thirteen (P. L. 507), entitled "An act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," authorizing the entry of liens in the prothonotary's office for unpaid county or city and county taxes; and providing for the enforcement thereof.

Referred to the Committee on Municipal Corporations.

By Mr. McKINNEY. HOUSE BILL No. 1043.

An Act to add section six hundred ninety-three and one-tenth to article six of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," imposing penalties for the throwing of refuse, garbage or trash alongside highways.

Referred to the Committee on Judiciary Special.

By Mr. CHARLES H. BRUNNER.

HOUSE BILL No. 1044.

An Act authorizing boroughs, incorporated towns and townships to appoint special police officers to serve during fires; prescribing their powers and duties; and providing for their compensation.

Referred to the Committee on Municipal Corporations.

By Mr. DALRYMPLE. HOUSE BILL No. 1045.

An Act making an appropriation to the Pennsylvania Historical Commission to complete the restoration of the Flagship Niagara, to purchase a site for its permanent location, to construct a cradle thereon, and to remove the vessel thereto.

Referred to the Committee on Appropriations.

By Mr. OWENS. HOUSE BILL No. 1046.

An Act to amend Section 233.1 of the act, approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising amending and consolidating the laws relating thereto," providing for solicitors to registers of wills.

Referred to the Committee on Counties.

By Mr. HEATHERINGTON. HOUSE BILL No. 1047.

An Act to add section one thousand one hundred fifteen to article eleven of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 903), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the tilling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," by regulating the operation of motor vehicles using the turnpike or highways under the supervision of the Pennsylvania Turnpike Commission.

Referred to the Committee on Motor Vehicles.

By Messrs. RUSSELL E. REESE and NAGEL.

HOUSE BILL No. 1048.

An Act relating to and regulating the practice of the healing profession of chiropractic, and the licensure and

registration of practitioners therein; creating a Chiropractic Board of Examination and Licensure in the Department of Public Instruction; defining its powers and duties, and providing penalties.

Referred to the Committee on Professional Licensure.

By Mr. ACHTERMAN. HOUSE BILL No. 1049.

An Act creating a temporary State commission to investigate all State hospitals; conferring powers and duties on said commission; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. DiGENOVA. HOUSE BILL No. 1050.

An Act requiring cities of the first class to furnish all police officers employed by such cities, all firearms, cartridges and all other firearm accessories free of charge.

Referred to the Committee on Cities—First Class.

By Messrs. PETROSKY and LOVETT.

HOUSE BILL No. 1051.

A Supplement to the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class as State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the Motor License Fund for the purposes of this act," by establishing additional routes in the City of Jeannette.

Referred to the Committee on Highways.

By Mr. POWERS. HOUSE BILL No. 1052.

An Act to add subsection thirty-one to section six hundred two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for the consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State Stores and of fees; and imposing penalties," providing additional restrictions on certain types of sales.

Referred to the Committee on Liquor Control.

By Messrs. SHAW and REYNOLDS.

HOUSE BILL No. 1053.

An Act to further amend sections six hundred four and six hundred six, and to amend section six hundred seven of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," further regulating the licensing of operators.

Referred to the Committee on Motor Vehicles.

By Mr. RUSH.

HOUSE BILL No. 1054.

An Act requiring every board of school directors, board of public education, board of trustees, or other governing body of any school, or other public institution supported in whole or in part from public funds, or granted tax exemption, to exercise exclusive supervision and control over any band, orchestra, or other musical organization maintained by such institution; authorizing the adoption of rules and regulations by such governing bodies relating to the activities of such musical organizations; prohibiting any person having charge of such musical organization from permitting any use of the equipment thereof, or any performance thereby, except in connection with some function of the institution, and prescribing penalties.

Referred to the Committee on Education.

By Mr. CHUDOFF.

HOUSE BILL No. 1055.

An Act to amend section five hundred four of the act, approved the fifth day of December, one thousand nine hundred thirty-six (P. L. (1937) 2897), entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis; requiring employers to keep records and make reports, and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons; providing procedure and administrative details for the determination, payment and collection of such contributions and the payment of such compensation; providing for the cooperation with the Federal Government and its agencies; creating certain special funds in the custody of the State Treasurer; and prescribing penalties," allowing interest on claims in certain cases.

Referred to the Committee on Labor.

By Mr. HARMUTH.

HOUSE BILL No. 1056.

An Act to further amend section one of the act, approved the twelfth day of June, one thousand nine hundred and thirteen (P. L. 471), entitled "An act providing for the establishment and maintenance of boards of health in boroughs and townships of the first class, and defining their powers and duties; providing for the appointment of mem-

bers of such boards of health by the president of the borough councils, or by the chairman of the board of commissioners of such townships; providing for the election of a secretary and a health officer; providing that the Commissioner of Health may take charge of the administration of health laws in any borough or township of the first class, when conditions therein, in his opinion, constitute a menace to the lives or health of the people living outside the corporate limits of such borough or township of the first class, or when it may be known to him that such borough or township of the first class is without an existing or efficient board of health; and providing the manner in which the expenses of boards of health or of the Commissioner of Health, incurred in administering health laws in any borough or township of the first class, shall be paid," eliminating certain requirements and the necessity of certification in the appointment of health officers.

Referred to the Committee on Municipal Corporations.

By Mr. O'MULLEN.

HOUSE BILL No. 1057.

An Act to add subsection thirty-one to section six hundred two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts and districts attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," making it unlawful for licensees to sell or give liquor, malt or brewed beverages to uniformed police officers or privately employed uniformed police officers, guards or bank messengers publicly carrying firearms.

Referred to the Committee on Liquor Control.

By Mr. POWERS.

HOUSE BILL No. 1058.

An Act regulating the appointment, promotion, suspension, reduction, removal and reinstatement of salaried employees in borough fire departments (except volunteer departments); providing for the appointment of a Civil Service Board; defining its powers and duties; and imposing powers and duties on boroughs councils with regard thereto.

Referred to the Committee on Boroughs.

By Messrs. CHARLES H. BRUNNER

and CADWALADER.

HOUSE BILL No. 1059.

An Act relating to consolidations and annexations of political subdivisions under existing laws; requiring in all cases the preliminary consent of the lesser political subdivision concerned therein, and the assent of property owners in certain cases.

Referred to the Committee on Municipal Corporations.

By Mr. ACHTERMAN.

HOUSE BILL No. 1060.

An Act to apportion the State into congressional districts.

Referred to the Committee on Congressional and Judicial Apportionment.

By Messrs. GALLAGHER and KOMOROWSKI.
HOUSE BILL No. 1061.

An Act providing for the creation and administration of a State Fund for the insurance of the liability of employers for injuries to employes sustained in their course of employment; declaring false oaths by the subscribers to be misdemeanors; providing penalties for the violation thereof; and making an appropriation.

Referred to the Committee on Workmen's Compensation.

By Mr. MELCHIORRE. HOUSE BILL No. 1062.

An Act making an appropriation to the Department of Forests and Waters for the proper conduct of work of the Navigation Commission for the Delaware River and its navigable tributaries.

Referred to the Committee on Appropriations.

By Mr. MELCHIORRE. HOUSE BILL No. 1063.

An Act making an appropriation for the maintenance, repair and improvement of the Port of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. MELCHIORRE. HOUSE BILL No. 1064.

An Act making an appropriation to the Department of Forests and Waters for the maintenance of a National School located at the Port of Philadelphia.

Referred to the Committee on Appropriations.

By Mr. MELCHIORRE. HOUSE BILL No. 1065.

An Act making an appropriation to the National Farm School, at Doylestown, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. MELCHIORRE and REUBEN E. COHEN.
HOUSE BILL No. 1066.

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital, of Philadelphia, Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. CULLEN and MODELL.
HOUSE BILL No. 1067.

An Act making an appropriation to the Board of Trustees of the Philadelphia Commercial Museum Exhibition and Convention Halls.

Referred to the Committee on Appropriations.

By Messrs. MODELL and CULLEN.
HOUSE BILL No. 1068.

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Referred to the Committee on Appropriations.

By Messrs. REUBEN E. COHEN
and EDWIN F. THOMPSON. HOUSE BILL No. 1069.

An Act making an appropriation to St. Luke's and Children's Medical Center of Philadelphia for the purpose of establishing and maintaining an industrial medical laboratory and mobile laboratory in the Philadelphia industrial area.

Referred to the Committee on Appropriations.

By Mr. McLANAHAN. HOUSE BILL No. 1070.

An Act prohibiting owners of restaurants, pool rooms, bowling alleys, confectionery stores, barber shops, grocery stores or hotels from encouraging or permitting gambling; and prescribing penalties.

Referred to the Committee on Law and Order.

By Messrs. POLEN and PETTIT. HOUSE BILL No. 1071.

An Act to further amend section sixteen of the act, approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draftsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioners and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein; providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of townships or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of township, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same; providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," providing for the payment of costs by the Commonwealth in certain cases.

Referred to the Committee on Highways.

By Messrs. POLEN and PETTIT. HOUSE BILL No. 1072.

An Act to amend section five hundred and nineteen of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing for the payment of the costs of viewers by the Commonwealth in certain cases.

Referred to the Committee on Counties.

By Mr. McCLANAGHAN. HOUSE BILL No. 1073.

An Act to add subsection E to section two hundred two, and to further amend sections one thousand thirteen and one thousand fourteen of the act, approved the fifth day of May, one thousand nine hundred thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," requiring domestic or foreign business corporations to transact business only under their corporate name, and imposing penalties.

Referred to the Committee on Corporations and Industry.

By Messrs. NAGEL and GATES. HOUSE BILL No. 1074.

An Act to amend section six hundred and forty-six of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 879), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting admission of children under fifteen to moving picture theatres on Sundays unless accompanied by a parent or guardian; and prescribing penalties.

Referred to the Committee on Judiciary Special.

By Messrs. LEVY and LESKO. HOUSE BILL No. 1075.

An Act to promote equality of bargaining power between employer and employe; to diminish the causes of industrial disputes by encouraging collective bargaining; creating a Pennsylvania Labor Relations Commission; conferring powers and imposing duties upon the Pennsylvania Labor Relations Commission, officers of the State Government, and courts, providing for the right of employes to organize and bargain collectively; declaring certain labor practices by employers to be unfair; further providing that representatives of a majority of the employes be the exclusive representatives of all the employes; authorizing the commission to conduct hearings and elections, and certify as to representatives of employes for purposes of collective bargaining; empowering the commission to prevent any person from engaging in any unfair labor practice, and providing a procedure for such cases, including the issuance of a complaint, the conducting of a hearing, and the making of an order; empowering the commission to petition a court of common pleas for the enforcement of its order, and providing a procedure for such cases; providing for the review of an order of the commission by a court of common pleas on petition of any person aggrieved by such order, and establishing a procedure for such cases; providing for an appeal from the common pleas court to the supreme Court; providing the commission with investigatory powers, including the power to issue subpoenas and the compelling of obedience to them through the application to the proper court; providing for service of papers and process of the commission; prescribing certain penalties.

Referred to the Committee on Labor.

By Messrs. GALLAGHER and KOMOROWSKI.

HOUSE BILL No. 1076.

An Act to further reenact and amend the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 736), entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; and prescribing penalties," changing maximum and minimum rates, periods, total amounts and aggregate of compensation; changing practice and rules of evidence; defining earning power after accident; authorizing the board to terminate compensation in certain cases; changing the classes of dependents entitled to compensation in case of death; changing powers and duties of the board; and imposing additional penalties; authorizing the department, the board and the referees to approve compromise agreements in certain cases, and generally amending, clarifying and changing the provisions of said act.

Referred to the Committee on Workmen's Compensation.

By Messrs. GALLAGHER and KOMOROWSKI.

HOUSE BILL No. 1077.

An Act to reenact and amend the act approved the twenty-first day of June, one thousand nine hundred and thirty-nine (P. L. 566), entitled "An act defining the liability of an employer to pay damages for occupational disease contracted by an employe arising out of and in the course of employment; establishing an elective schedule of compensation; providing procedure for the determination of liability and compensation thereunder; imposing duties on the Department of Labor and Industry, the Workmen's Compensation Board, Workmen's Compensation Referees, and deans of medical schools; creating a medical board to determine controverted medical issues; establishing an Occupational Disease Fund in custody of the State Workmen's Insurance Board; imposing upon the Commonwealth a part of the compensation payable for certain occupational diseases; making an appropriation; and prescribing penalties," by further defining and extending the liability of an employer to pay damages for occupational diseases contracted by an employe arising out of and in the course of employment; modifying the procedure and determination of liability thereunder; making an additional appropriation; and prescribing penalties.

Referred to the Committee on Workmen's Compensation.

By Mr. BONEY.

HOUSE BILL No. 1078.

An Act creating a revolving fund in the State Treasury for the purpose of administering Federal surplus commodities on the food stamp plan throughout the Commonwealth; conferring powers and imposing duties on the Department of Public Assistance and on local boards of assistance, providing for the payment of the cost of administering the fund out of appropriations made for administering public assistance; and making an appropriation.

Referred to the Committee on Appropriations.

By Mr. HAMILTON.

HOUSE BILL No. 1079.

An Act to further amend section four, nine, and eleven of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled, as amended "An act providing for the incorporation, as bodies corporate and politic, of 'Authorities' for municipalities, counties, and townships; defining the same; prescribing their rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects, and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent do-

main on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes," including electric light plants as projects; and authorizing the transfer to, and acquisition by purchase or eminent domain by Authorities.

Referred to the Committee on Workmen's Compensation.

RESOLUTION INTRODUCED AND REFERRED

By Mr. GOODWIN. RESOLUTION No. 65.

In the House of Representatives, March 31, 1941.

Whereas, Newspapers have carried reports of diplomatic representatives of foreign countries who, while stationed in this country, are engaging in active conspiracy with saboteurs to ruin our national defense program; and

Whereas, It is impossible to properly punish such diplomatic representatives, their staffs, domestics or employes, when engaged in such insidious activity, because of the diplomatic immunity they enjoy; and

Whereas, A member of Congress from Pennsylvania has introduced a bill which would abolish the diplomatic immunity of such individuals, and make them amenable to our criminal laws, to the same extent as all our citizens now are; therefore be it

Resolved, That the House of Representatives hereby memorializes Congress to pass H. R. 3977, abolishing diplomatic immunity; and be it further

Resolved, That a copy of this resolution be forwarded by the Chief Clerk of this House to both Senators and all Congressmen from Pennsylvania.

Referred to the Committee on Rules.

LEAVE OF ABSENCE

By unanimous consent leave of absence was granted as follows:

The Chair for Mr. WRIGHT for today's session

COMMUNICATION

The Speaker laid before the House a communication which was read by the Clerk as follows:

Monessen, Pa.

Hon. Elmer Kilroy,
Speaker, House of Representatives,
Harrisburg, Pa.

Dear Mr. Kilroy:

In Westmoreland County, little girls grow real fast. Here I am ten days old, and if you please, already a young lady.

I would have written you last week, but I knew that you and Mr. Moran were so busy with St. Patrick, that I would be lost in the shuffle. I want to take this means of thanking all of you for making it possible for my daddy to meet me when I arrived.

I am looking forward to the pleasure of meeting my daddy's friends when I get to Harrisburg very shortly. I want to see for myself if he is telling the truth when he says that they are the swellest bunch of fellows in the world.

My mother sends her kindest regards. So will close my first letter with oceans of love to all the nice men.

Your Newest friend,

YETTA ROCHELLE WEISS.

ANNOUNCEMENTS BY SPEAKER

The SPEAKER. The Chair requests that Members who

ask for long lists of bills, please send their requests direct to Mr. Miller in the Chief Clerk's Office. This is necessary in order to expedite the work in the bill room and so as to not interfere with the picking and filing of bills on the Members' desks thereby holding up the sessions of the House. Members receiving requests by mail for bills, if they will file these requests with the Chief Clerk, he will send out the bills marked as having been sent at the request of the members.

The Chair asks the cooperation of the entire membership in giving as much time as possible to the Chief Clerk to fill these special orders for bills. Sign your requests and when asking for white bills always do so by Printer's number.

A change in the daily calendar has been made for the convenience of the Members. Bills amended either in committee or on the floor of the House, will follow in their order under the heading of "Amended Bills" on the respective readings.

REPORTS FROM COMMITTEES

Mr. MOONEY, from the Committee on Labor, reported as committed; House Bill No. 100, entitled:

An Act granting to representatives for collective bargaining designated by employes of anthracite or bituminous mines or collieries, the right to accompany mine inspectors on all tours of inspection of such mines.

Mr. MOONEY, from the Committee on Cities—First Class, reported as committed, House Bill No. 62, entitled:

An Act requiring cities of the first class to allot the sum of fifty dollars to all uniformed officers and men employed in the police department, fire department and park guard for the purchase of their prescribed uniforms.

Mr. PAUL A. BRUNNER, from the Committee on Highways reported as committed, House Bill No. 646, entitled:

An act establishing certain public roads and streets as a State highway, and providing for their construction, reconstruction and maintenance by the Department of Highways, subject to certain terms and conditions.

Mr. LOVETT, from the Committee on Liquor Control, reported as committed, House Bill No. 799, entitled:

To further amend clauses nine and ten of section six hundred two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties." by increasing the allowed value of advertising matter displayed on the inside or outside of licensed premises.

Mr. WEISS, from the Committee on State Government, reported as committed, House Bill No. 849, entitled:

An Act to amend the act approved the nineteenth day of July, one thousand nine hundred thirty five (P. L. 1356), entitled, "An act to regulate the sale and delivery of solid fuel, as herein defined; providing for appointments of licensed weighmasters; prescribing their powers and duties; authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs; and providing penalties," further regulating the issuing to and revocation and suspension of licenses of weighmasters; requiring the use of suitable scales; regulating the issuing, use and keeping of weighmaster's certificates; conferring powers and imposing duties upon the State, city, and county inspectors of weights and measures and the Department of Internal Affairs; declaring certain proofs to constitute prima facie evidence of a violation of the act; extending the provisions of said act to cases heretofore exempted; and prescribing additional and increased penalties.

Mr. LESKO, from the Committee on State Government, reported as committed, House Bill No. 593, entitled:

An Act to amend section two hundred twelve, to further amend sections two hundred thirteen, two hundred fourteen, seven hundred one, and seven hundred nine, and to amend section one thousand two hundred one of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by exempting the Department of Internal Affairs from the provisions of said sections, and further defining powers of the Secretary of Internal Affairs.

Mr. YESTER, from the Committee on State Government, reported as committed, House Bill No. 755, entitled:

An Act to further amend section seventeen of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled "An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes, defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by permitting members to assign their rights to Federal Credit Unions in certain cases as security for loans.

Mr. EDWIN F. THOMPSON, from the Committee on Highways, reported as committed, House Bill No. 916, entitled:

An Act making an appropriation to the Department of Highways for the erection and construction of ramp over the tracks of the Pennsylvania Railroad in the Borough of West Leechburg, and for the construction of the necessary approaches thereto.

Mr. EWIN F. THOMPSON, from the Committee on

Highways, reported as committed, House Bill No. 917, entitled:

An Act establishing certain public roads and streets in the borough of West Leechburg, Westmoreland County, as a state highway; providing for their construction and maintenance by the Department of Highways, and making an appropriation.

Mr. HARMUTH, from the Committee on Highways, reported as committed, House Bill No. 726, entitled:

An Act authorizing and directing the Department of Highways to erect, construct and maintain a free bridge over the Susquehanna River in or near the Borough of Plymouth, Luzerne County, and to provide the necessary approaches and connections with state highways, providing for the acceptance of Federal aid, empowering counties to pay certain damages; and making an appropriation.

Mr. D'ORTONA, from the Committee on Liquor Control, reported as committed, House Bill No. 473, entitled:

An Act to further amend clause (i) of section two of the act approved the third day of May, one thousand nine hundred and thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts," by changing the definition of eating place.

Mr. D'ORTONA, from the Committee on Liquor Control, reported as committed, House Bill No. 474, entitled:

An act to further amend section two of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled, as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by changing the definition of restaurant.

Mr. STINE, from the Committee on State Government, reported as committed, House Bill No. 667, entitled:

An Act creating an independent board to be known as The Regulatory Board of Review; conferring powers and duties on said Board, describing procedure on appeals to said Board and to the courts of common pleas; and making an appropriation.

Mr. ROSENFELD, from the Committee on Judiciary

Special, reported as committed, House Bill No. 803, entitled:

An Act to amend section six hundred and forty-three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," prohibiting selling, giving away or permitting or employing minors under eighteen to sing, dance, act or exhibit in dance houses, concert saloons, theatres, places of entertainment, tap rooms, clubs, cafes, restaurants or eating houses, where or connected with which, wines or spirituous or malt liquors are sold or given away.

Mr. WOODRING, from the Committee on Judiciary Special reported as committed, House Bill No. 145, entitled:

An Act validating county treasurer's deeds where the acknowledgement of such deed or deeds was defective in any respect, if in fact such acknowledgement was taken before a judge of the county.

Mr. BREATHERICK, from the Committee on State Government, reported as committed, House Bill No. 316, entitled:

An Act authorizing certain officers on active duty with the armed forces of the United States to act as notaries public; and requiring certification of their authority.

Mr. MODELL, from the Committee on Cities-First Class reported as committed, House Bill No. 350, entitled:

An Act regulating the employment and providing for an annual vacation and salaries of certain employes of the department of public works of cities of the first class.

Mr. CULLEN, from the Committee on Law and Order, reported as committed, House Bill No. 510, entitled:

An Act to amend section five of the act, approved the second day of July, one thousand nine hundred thirty-five (P. L. 599) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions, together with orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection in connection with or incidental thereto on Sunday; prohibiting motion picture exhibitions and sound motion picture exhibitions, and orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing, or selection incidental thereto on Sunday during certain hours, and also during other hours, unless the electors of a municipality approve thereof; regulating the employment of persons in conducting such exhibitions on Sunday; providing for referendums to ascertain the will of the electors; and providing penalties; and repealing inconsistent laws," by changing the method whereby future referendums be initiated.

Mr. HARRIS, from the Committee on Highways, reported as committed, House Bill No. 650, entitled:

An Act to amend section seven of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one. (P. L. 720), entitled "An act providing for the taking over by the Commonwealth, under certain terms, conditions and limitations, of certain streets in cities of the second class, second class A, and third class at State highways, and for the improvement, construction, reconstruction, resurfacing and maintenance by the Commonwealth of certain defined widths of said streets; imposing duties on such cities and on public utility companies using such streets; providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon; authorizing cities, persons, associations, or corporations to enter into agreements with the Commonwealth to bear a portion of the

cost of construction or maintenance; providing for the assessment of certain portions of the cost of street improvements on abutting property owners; regulating the replacement of certain facilities of public utility companies; prohibiting the opening of said streets after improvement without a permit, and providing penalty therefor; regulating the maintenance of detours; authorizing the increase of city indebtedness in certain cases; and appropriating money in the motor license fund for the purposes of this act," as last amended, by providing for the changing of width, lines, location or grades of streets in cities of the second class, second class A and third class, by the Department of Highways without the consent of the city in which said street is located; relieving the city from liability for damages in such cases; and imposing liability for damages upon the Commonwealth of Pennsylvania.

Mr. McFALL, from the Committee on State Government, reported as committed, House Bill No. 77, entitled:

An Act requiring the Department of Welfare of the Commonwealth of Pennsylvania, to allow all employes of state penal and correctional institutions twenty-four consecutive hours of rest each week; authorizing the Department of Welfare to provide additional employes.

Mr. FRENCH, from the Committee on Highways, reported as committed, House Bill No. 648, entitled:

An Act to amend section 873 of the act approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws, twelve hundred and seventy-eight) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising amending and consolidating the laws relating thereto" providing roads to be county roads as soon as so determined and maintenance of such roads within the limits of boroughs and cities.

Mr. KLINE, from the Committee on State Government, reported as committed, House Bill No. 505, entitled:

An Act providing for the licensing, bonding and regulation of junk dealers, and prescribing penalties.

Mr. McKINNEY, from the Committee on Judiciary General reported as committed, House Bill No. 375, entitled:

An Act authorizing individual co-fiduciaries in certain cases to consent to investments in common trust funds and validating consents heretofore given.

Mr. BREATHERICK, from the Committee on Judiciary General reported as committed, House Bill No. 374 (Senate Bill No. 137), entitled:

An Act to amend section thirty-eight of article four of the act, approved the twentieth day of June, one thousand nine hundred and nineteen (P. L. 521), entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of such corporation or banking association, standing in the name of any such decedent, until the tax or the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," changing the time within which a discount is allowed for the payment of said taxes.

Mr. LEONARD, from the Committee on Labor, reported as amended, House Bill No. 590, entitled:

An Act relating to wages, regulating the time and manner of payment of wages, providing for the enforcement of wage claims, imposing certain new liabilities upon contractors, and certain duties and liabilities upon employers, and waiving certain exemptions in certain cases, and conferring certain powers and imposing certain duties on the Department of Labor and Industry, and providing penalties, and repealing existing laws.

Mr. STANK, from the Committee on Liquor Control, re-reported as committed, House Bill No. 550, entitled:

An Act to repeal the act approved the twenty-eighth day of March, one thousand eight hundred and seventy-eight (P. L. 9), entitled "An act relative to the employment of females in hotels, taverns, saloons and eating houses, or other places for the sale of intoxicating and other drinks, and the penalty for the violation thereof."

PAGES THANKED

The SPEAKER. The Chair thanks the pages for the fast work during the session.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 124, entitled:

An Act to reenact and amend the title and the act approved the twenty-eighth day of April, one thousand nine hundred and thirty-seven (P. L. 417) entitled "An act relating to milk and the products thereof; creating a Milk Control Commission; establishing its jurisdiction, powers and duties; regulating the production, transportation, manufacturing, processing, storage, distribution, delivery and sale of milk and certain products thereof; providing for the licensing of milk dealers and the payment of fees therefor; requiring milk dealers to file bonds to secure payment of milk to producers and certain milk dealers; authorizing the holding of hearings and the issuance of subpoenas by the commission; conferring jurisdiction upon courts to punish contempts and to prohibit violations of this act and of rules, regulations and orders of the commission; authorizing the commission to adopt rules, regulations and orders, and to enter into interstate and Federal compacts; requiring persons who weigh, measure, sample or test milk to procure permits or certificates, to take examinations, to pay fees therefor, to furnish certain notices, records and statements, and to use certain methods of weighing, measuring, sampling and testing; authorizing the commission to examine the business, papers and premises of milk dealers and producers, requiring the keeping of records and the filing of reports by milk dealers, and permitting with limitations, the use of information obtained thereby; authorizing the commission to fix prices for milk and certain milk products subject to the approval of the Governor, and conferring certain powers upon the Governor with respect thereto; providing for appeals to the courts from decisions of the commission, and for the burden of proof upon such appeals; prescribing penalties, fines, and imprisonment for violations of this act and rules, regulations and orders of the commission; defining perjury; defining remedies; repealing legislation supplied and superseded by this act, and saving rights, duties and proceedings thereunder; and making appropriations." by substituting the term "handler" for the term "milk dealer"; defining the terms "handle" and "handler"; extending the provisions of the act to those who handle milk by bailment, brokerage, consignment or purchase by giving certain additional rights to producers' and farmers' unions or organizations producing milk; setting up a price fixing procedure; providing for the division of the Commonwealth into license districts; restricting powers of the Governor; and providing for the payment of funds in the hands of the commission owing to producers and handlers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 226, entitled:

An Act to reenact and amend the title and the act, approved the second day of July, one thousand nine hundred and thirty-seven (P. L. 2803), entitled "An act providing a method of annexation of townships of the first class, and parts thereof, to cities and boroughs, and regulating the proceedings pertaining thereto," providing for the annexation of townships of the first class or parts thereof to other townships of the first class.

The first section was read.

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. GOODWIN. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 708, entitled:

An Act enabling city county poor institution district ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective warrants or by the expiration of their terms of office extending the time for the collection of the same for a period of two years from the passage of this act and validating collections and proceedings for collections made or commenced without previous authority

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 895, entitled:

An Act to authorize cities boroughs incorporated towns townships school districts poor districts and county institution districts to file tax and municipal claims not filed within the time specified by law and to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments

The first section was read.

On the question,

Will the House agree to the section?

Mr. WEISS. Mr. Speaker, I desire to offer the following amendments.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 1 of title, by inserting after the word "authorize" the following: "counties".

Amend Sec. 1, page 1, line 1, by inserting after the word "any" the following: "county".

Amend Sec. 1, page 2, line 5, by inserting after the word "the" the following: "county".

Amend Sec. 1, page 2, line 18, by inserting after the word "the" the following: "county".

Amend Sec. 1, page 2, line 25, by inserting after the word

"such" where it appears the second time in said line, the following: "county".

Amend Sec. 1, page 4, line 4, by inserting after the word "the" where it appears the second time in said line, the following: "county".

The amendments were agreed to.

The section was agreed to as amended.

The second section and title were separately read and agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 657, entitled:

An Act to amend section one two three and four of the act approved the twenty-first day of May one thousand nine hundred thirty-seven (P. L. 787) entitled "An act authorizing the compromise or reduction of tax claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the reconveyance or private sale of such property" extending the provisions of said act to properties purchased by said political subdivisions at sales for municipal claims and to the payment of such claims from the proceeds of such compromises or sales and changing the time when such compromises may be made

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 524, entitled:

An Act to further amend section two hundred and ten of the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" prohibiting the sale of striped bass or rock fish under eighteen inches in length

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 610, entitled:

An Act to amend clause forty-seven of section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 832) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" changing the qualifications of historical societies to receive appropriations

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 609, entitled:

An Act to amend section four hundred thirty-eight of the act approved the second day of May one thousand nine hundred twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating

the laws relating thereto" changing the qualifications of historical societies to receive county appropriations

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 710, entitled:

An Act to enable tax collectors and receivers of taxes to make return to the county commissioners of unpaid taxes assessed on seated lands for certain years and validating the liens of such taxes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 631, entitled:

An Act authorizing courts of common pleas to stay writs of execution against sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The House proceeded to the second reading and consideration of House Bill No. 791, (Senate Bill No. 244), entitled:

An Act to amend section one of the act approved the fifteenth day of June, one thousand eight hundred and ninety-seven (P. L. 159), entitled "An act authorizing controllers of the several cities of this Commonwealth to appoint probate clerks," by providing for the appointment of additional probate clerks.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

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

The House resumed the consideration on second reading of House Bill No. 314, entitled:

An act to repeal certain local laws relating to The Berks County Prison and relating to the Board of Prison Inspectors and Prison Inspectors of said prison.

The first section was read.

On the question.

Will the House agree to the section?

BILL RECOMMITTED

Mr. READINGER. Mr. Speaker, I move that this bill be recommitted to the Committee on Counties for the purpose of further study and possible amendment.

On the question,

Will the House agree to the motion?

Mr. MARKS, Mr. Speaker, I rise in defense of the Committee on Counties that reported this bill out. On February 10 I introduced this bill and it was in the Counties

Committee. On February 19 two Members from Berks County who are members of the Counties Committee failed to put in an appearance when this bill was called up in the committee meeting. The Committee called me up there on March 19 and I explained to them exactly what this bill would do. I can see no reason why Mr. Readinger would oppose this bill because in 1937 he voted to repeal this bill—

POINT OF ORDER

Mr. READINGER. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. READINGER. A motion to recommit is not debatable.

The SPEAKER. The point of order is not well taken. A motion to recommit is debatable. For the information of the gentleman from Berks, Mr. Marks, he is required to confine his remarks to the motion to recommit. The merits of the bill are not debatable. The gentleman will proceed.

Mr. MARKS. After I introduced this bill, I wrote to every Member of the Counties Committee asking them to support this bill and report it out. The bill was reported out on March 19. I ask this House to vote against recommitting of this bill.

Mr. READINGER. Mr. Speaker, I ask for a division on a vote.

A division having been called for, eighty-two members having voted in the affirmative and sixty-nine in the negative, the question was determined in the affirmative and the motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 364, as follows:

An Act to amend the act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" amplifying the provisions thereof as to persons entitled to such payments

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The act approved the twenty-first day of June one thousand nine hundred and thirty-nine (P. L. 566) entitled "A supplement to the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended 'An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the termination of liability and compensation thereunder and prescribing penalties' as reenacted and amended providing for the payment of compensation to volunteer firemen or their dependents" is hereby amended to read as follows

Section 1 In addition to those persons included within the definition of the word "employe" as defined in section one hundred and four of the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736) entitled as amended "An act defining the liability of

an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as last reenacted and amended at the regular legislative session of one thousand nine hundred and thirty-nine there shall be included all members of volunteer fire companies of the various cities boroughs incorporated towns and townships who shall be and are hereby declared to be "employes" of such cities boroughs incorporated towns townships for all the purposes of said act and shall be entitled to receive compensation in case of injuries received while actually engaged as firemen or while going to or returning from any fire which the fire companies or fire department of which they are members shall have attended or while performing any other duties of such companies

Section 2 This act shall become effective ten days after final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—205

- | | | | |
|-----------------|----------------|---------------|------------------|
| Achterman, | Flynn, | Lyons, | Rosenfeld, |
| Allmond, | Foor, | Malloy, | Royer, |
| Auker, | French, | Marks, | Rush, |
| Baker, | Gallagher, | Maxwell, | Sarge, |
| Balthaser, | Gates, | McClanaghan, | Sarra, |
| Baughner, | Gerard, | McClester, | Scanlon, |
| Bentley, | Gillan, | McDermott, | Schwab, |
| Bentzel, | Gillette, | McDowell, | Serrill, |
| Boles, | Goodwin, | McFall, | Shaffer, |
| Boney, | Greenwood, | McGrath, | Shaw, |
| Boorse, | Gross, | McIntosh, | Shepard, |
| Bower, | Gryskewicz, | McKinney, | Simons, |
| Bradley, | Gyger, | McLanahan, | Snyder, |
| Breth, | Habbyshaw, | McLane, | Sollenberger, |
| Bretherick, | Haberlen, | McMillen, | Sorg, |
| Brown, | Haines, | McSurdy, | Stambaugh, |
| Brunner, C. H., | Hall, | Melchiorre, | Stank, |
| Brunner, P. A., | Hamilton, | Milhm, | Stine, |
| Burns, | Hare, | Modell, | Stockham, |
| Burris, | Harkins, | Monks, | Tarr, |
| Cadwalader, | Harmuth, | Mooney, | Tate, |
| Chervenak, | Harris, | Moran, | Taylor, |
| Chudoff, | Heatherington, | Moul, | Thompson, E. F., |
| Cochran, | Helm, | Muir, | Thompson, R. L., |
| Cohen, M. M., | Hering, | Munley, | Trout, |
| Cohen, R. E., | Herman, | Nagel, | Turner, |
| Cook, | Hersch, | Nunemacher, | Van Allsburg, |
| Cooper, | Hewitt, | O'Brien, | Verona, |
| Cordier, | Hirsch, | Connor, | Vincent, |
| Corrigan, | Holland, | O'Dare, | Vogt, |
| Croop, | Huntley, | O'Mullen, | Voldow, |
| Cullen, | Imbrie, | O'Neill, | Voorhees, |
| Dalrymple, | James, | Owens, | Wagner, |
| Dennison, | Jefferson, | Petrosky, | Watkins, |
| D'Enova, | Jones, G. E., | Pettit, | Weingartner, |
| Dix, | Keenan, | Polaski, | Weiss, |
| Dolon, | Kenehan, | Polen, | Welsh, E. B., |
| D'Ortona, | Kline, | Powers, | Welsh, M. J., |
| Duffy, | Kroble, | Prosen, | Wilkinson, |
| Early, | Kolankiewicz, | Rank, | Williams, |
| Eckels, | Komorowski, | Rausch, | Winner, |
| Elder, | Krise, | Readinger, | Wolf, |
| Elliott, | Lee, E. A., | Reagan, | Wood, L. H., |
| Ely, | Lee, T. H., | Reese, D. P., | Wood, N., |
| Falkenstein, | Leisey, | Reese, R. E., | Woodring, |
| Finestone, | Leonard, | Regan, | Woodside, |
| Finnerty, | Lesko, | Reynolds, | Yeakel, |
| Fisher, | Levy, | Rhea, | Yester, |
| Fiss, | Leydic, | Riley, | Young, |
| Fleming, | Lichtenwalter, | Rooney, | Kilroy, |
| Fletcher, | Longo, | Rose, S., | Speaker |
| | Lovett, | Rose, W. E., | |

NAYS—0

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

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

BILLS ON THIRD READING

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 487, as follows:

An Act to add clause (1) to section four and to repeal clause (o) of section seven of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board by eliminating requirement that the names of general assistance recipients be made public and requiring that the names of all applicants or recipients of assistance be kept confidential

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section four of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-seven (P. L. 2051) entitled "An act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board" is hereby amended by adding thereto after clause (k) which was added to said section by section two of the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) a new clause to read as follows

Section 4 General Powers and Duties of Department of Public Assistance The Department of Public Assistance shall have the power and its duty shall be

* * * * *

(1) To keep the names of all applicants or recipients of general and special assistance confidential

Section 2 Clause (o) of section seven of said act which was added to said section by section two of the act approved the twenty-sixth day of June one thousand nine hundred thirty-nine (P. L. 1091) is hereby repealed

Section 3 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. VANALLSBURG. Mr. Speaker I rise to say a few words in opposition to the bill before the House sponsored by the gentleman from Philadelphia, Mr. Levy.

This bill consists of two parts. In the first place it

repeals paragraph "o" in section 4, which defines the powers of the County boards of public assistance. The paragraph in question which this bill seeks to repeal is as follows

"To make available for inspection and examination during office hours to any taxpayer, in such manner as the county board of assistance may prescribe, the names, addresses, amount of assistance granted to all persons then receiving general assistance."

This particular paragraph is an amendment to the Act of 1937 which was placed in the act in the last session of the legislature in 1939.

It is the intent of the program at that time to localize the administration of relief, to make local communities responsible for their duty in making contributions and to help solve the problem of relief. At that time you will remember the relief rolls were running as high as \$2,000,000 a week. This is merely one paragraph among three or four words and I want to read to you very briefly, in order that you may understand fully this paragraph and the preceding ones that have reference to it, namely,

The County Board may appoint a "To appoint committees of the county board of local citizens in various communities of the county, as circumstances may require, to cooperate with the county board in (1) supplying information as to the eligibility of persons applying for assistance; (2) recommending local policies and (3) stimulating local employment."

The section (1) states:

"To encourage employable recipients of assistance to accept full or part-time employment by providing that such recipients will again be granted assistance upon the termination of such employment, if in need thereof."

Mr. LEVY. Mr. Speaker, I believe the gentleman has the right to be heard. Some of us that are interested in this bill have a right to listen. I request that the House be in order.

The SPEAKER. The gentleman is correct. The House will be in order. Members and visitors will please cease their conversation. The gentleman will proceed.

Mr. VANALLSBURG. This paragraph, Mr. Speaker, enables for example an individual living in a community, if he happens to know of a person in his community whom he believes, or hears any way, is on relief and at the same time and he knows that the person has employment and that he is working, this provision enables him to go to the county office to consult with the executive director and find out whether this person is on relief and to convey to him the information he has, that this man is working. In that way his relief is checked up and in that way he cooperates with the executive director in removing persons who are not deserving of relief.

On the other hand he may know of someone who is suffering and not properly cared for by the Department of Public Assistance, and it may be also that the visitor has not properly adjudged this person's needs, and that the person is suffering and not enjoying the privileges to which he is entitled. Then this neighbor can go around to the county board of assistance and say, "I came here to inquire about the circumstances of John Brown or Mary Jones. I understand that person is getting no relief, I came to explain to you the needs of this person."

I speak from experience when I say I have helped many persons to the full benefits of the law, who were fully en-

titled to it, but because of the misjudgment or the failure to understand the situation on the part of the visitor, these people were suffering and were not getting the full benefits of relief.

Now, friends, there have been no complaints made about this particular paragraph. For two years I have been devoting my entire time to the study of relief as a member of the Sub-committee on Relief of the Joint State Government Commission. We had eight different boards before us and not one of them made a single complaint about this particular paragraph. No county board has made a complaint to us. I personally conversed with the Secretary of Public Assistance this morning, and he says, "Van Allsburg, regarding that paragraph it is true that in the large cities where neighbors are not well acquainted with each other it is of little value, but it is of value in the other counties outside of the big cities."

To illustrate concretely the effect on the beneficiary himself, I want to say this to you, that the people who are on part time employment, for instance those who work in canning factories, who go out on the farms in the summer to work, people on relief who go out and get jobs and work three or five or six weeks and perhaps the farmer for whom they work, in sympathy with their needs, they appear to be poor, he gives them potatoes or apples or what not, depending on how generous he is. Then when pay day comes or at the close of the service they say, "Well now, Mr. VanAllsburg or Mr. Brown, please don't say anything as I am on relief."

Those are the conditions that exist. The same thing is true in other places. I would like to read for your information just a few words taken from the Public Assistance Manual of the State of New York, which says on page forty-one, "income resulting from occasional or odd jobs is difficult to verify in large urban areas; nevertheless constant effort should be made to verify the facts. In rural areas, the tendency of the community to advise public welfare officials offsets income by recipients lessens this problem."

Seasonal incomes of communities are more easily watched. Some of the seasonal income sources in any community which will require watching are: Canning, bean picking, bulding and allied trades; farm labor; summer resort concessions and allied summer employment; fishing and home industries, particularly fields in which labor may be performed or manufactured in the homes of individuals.

This is a very wise provision. It has not been abused, and I cannot see why in the world anyone would want to remove it from the present act. I can understand full well why Mr. Levy would be a party to doing it, because I recall very distinctly Mr. Levy said two years ago in speaking against my bill, and I quote from the Legislative Journal, page 2188, "The VanAllsburg bill attempts to starve out millions of people in Pennsylvania," and then again on page 2199 the gentleman from Philadelphia said, now, get this please, every Member of the House, because I would like you to hear it, "I ask every member of the House to insert amendments in the bill the VanAllsburg bill) so as to take away the power from the county boards to say who shall get assistance and who shall not."

Can we conceive of such a highly centralized system of relief as the gentleman from Philadelphia advocates? The amendments he is submitting to the bill read as follows,

carrying out that same idea that he expressed two years ago:

"The Department of Public Assistance shall have the power to keep the names of all applicants or recipients of general and special assistance confidential."

It will keep the whole matter of who is on the relief roll a secret. If that isn't playing into the hands of the professional social worker and the bureaucracy we know they would like to establish, then I want to know. It seems the provision we have here, is a pretense to comply with the request of the Federal Social Security Board. That request is complied with in the bill I introduced, but my bill lies in committee and this bill has been reported out. It does not meet the requirements of the Federal Social Security Board relating to special assistance.

I repeat in closing there is no need of talking very long on this bill. I repeat, this law has not embarrassed anyone and it has been very beneficial to see that people who need relief, if there is reason to believe they are not getting it, should get it and have the full benefit of the law. On the other hand cooperate with the county board in a friendly way to remove people who are not entitled to relief.

Mr. LEVY. Mr. Speaker, I rise to ask the House to support House Bill 487 as introduced and subsequently amended in committee or on the floor of this House. I might say in answer to the gentleman from Erie, that he probably gave the House the wrong impression when he said he also introduced a bill but his bill lies in committee while Mr. Levy's bill has been reported out. I might call to the attention of Mr. VanAllsburg and to the members of the House, that Mr. Levy introduced his bill on February 18, 1941. Mr. VanAllsburg introduced his bill on March 18, 1941, so that on the surface apparently the committee did not show preference in dealing with these bills, because as I recall it, my bill was reported out of Committee before Mr. VanAllsburg's bill was ever introduced.

I want to say to the Members of the House, and particularly the Republican members, that if the gentleman from Erie has decided to make this a party measure, his challenge is very willingly accepted. It is true that in 1939 the Democratic Party opposed the amendments introduced by the gentleman from Erie to the 1937 act and I think the story will probably be left with the people rather than with the Members of the Assembly. I only want to say to the membership of this House, and particularly to the Republican membership, that the disclosure of confidential information in regards to assistance is probably not so much the business of the Democratic membership of this House, but a long time ago in answer to a request by the President of the United States to the Chairman of the Social Security Board in Washington, and the letter was dated December 30, 1938, the Chairman of that respective board reported to the President, as per the desire of Congress on the status of the various provisions in the Social Security Act and requested the Chairman of the Social Security Board to suggest to the Ways and Means Committee of the House of Representatives in Washington what steps should be taken to improve the setup federally and in relation also to the various States. I might say to the members of this House that in that report to the President of the United States, the

chairman of the committee Mr. Altmeyer, along with the members of its Federal Agency had this to say, regarding confidential information, and I quote from the hearings held in Washington before the Committee on Ways and Means in the 76th Congress, first volume, page 16:

"The Board recommends that State Public Assistance plans be required as one of the conditions for the receipt of Federal grants and to include reasonable regulations governing the custody and use of its records designed to protect their confidential character. The Board believes that such a provision is necessary for efficient administration and that it is also essential in order to protect beneficiaries against humiliation and exploitation."

Mind you humiliation and exploitation, such as resulted in some states where the public has had unrestricted access to official records. The Board's recommendation follows:

"Efficient administration depends to a great extent upon enlisting the full cooperation of both applicants and other persons who are interviewed in relation to the establishment of eligibility for assistance. This cooperation can only be assured if there is the complete confidence that the information obtained will not be used in any way to embarrass the individual or jeopardize his interests. Similar considerations are involved in safeguarding the names and addresses of recipients and the amounts of assistance they receive. Experience has proved that publication of this information does not serve the avowed purpose of deterring ineligible persons from applying for assistance. The public interest is amply safeguarded if this information is available to official body."

Mr. Speaker, House Bill 487 does nothing more nor less than bring the State Public Assistance Act into conformity with the request of the Federal Social Security Board. We go one step further in that we of the Democratic Party request this Legislature to write into the law the fact that general assistance be governed by the same principles as special assistance.

I wonder if the gentleman from Erie can distinguish between general and special assistance when it comes to the publication of names. I have the greatest regard for the opinions of the gentleman and I know that every time he opposes or favors a certain piece of legislation he does so, and I have told him so in private conversation, believing that what he believes is the right thing to do, but I would say to him and also say to every Republican member on the other side of the House, what difference is there between the publication of special assistance names and the publication of general assistance names.

The underlying principal of section "O" of the 1939 act if Mr. VanAllsburg will read his journal more thoroughly, was advocated by him and the other members on the other side of the House when they said "This is a fine opportunity to stop chiseling on relief." I remember quite vividly those very words. I want to say to the gentleman from Erie as a member of the Joint State Government Commission, if that was the purpose of disclosing names of this confidential nature, then why did his committee report to this House that today in Pennsylvania the condition exists that sixteen to seventeen percent of chiseling still exists on general assistance rolls. If the purpose of the 1939 session in writing this amendment to the Assistance Act was to prevent chiseling, and if we are to believe the report of the Joint State Government Commission, then I say to the gentleman from Erie his amendment has failed to materialize as he said it would.

I would say to the Republican membership that if this disclosure of names has not stopped chiseling, then what purpose as an act has it served. The minority floor leader has told me in private conversation that he did not know of many cases where requests had been made to the department for a confidential list. Then I say to the gentlemen on the other side, why the necessity of having it in the 1939 act. I say to you men of the House, if we are going to do the humane thing, the proper thing, if we are going to write into this 1937 law what is supposed to be written into it, you will gladly and willingly vote for House Bill 487 and bring it into conformity with the Federal Social Security act.

Mr. WOODSIDE. Mr. Speaker, I think this bill should be defeated because in principle it is wrong. I don't know of another single instance—there may be, but I don't know of any—that the government, where money is extensively spent has not the right to know to whom it is given, and is consistently denied to the public. The Governor's salary is a matter of public record; the judges' salaries are a matter of public record; the salaries of the members of the Legislature are a matter of public record; the salaries of the officials of the Legislature, down to the Page boys are matters of public record; the salaries of all the state employes are a matter of public record; the salaries of all county officials and all county employes, the salaries of all federal and municipal officials and every employe wherever the government spends public money is a matter of public record as to who gets it and as to how much is being spent.

Why should we think about this particular instance and say this is a matter that shall not be made public, specifically, by law. I cannot see any real reason.

Let us take another instance. You people have gone so far as to say that the names of people who are exonerated from the payment of taxes may be made public and they are published in the newspapers. I believe the law requires in some instances advertising in the papers by the municipalities. If all those matters can be made matters of public record I can see no reason why we should specifically forbid the public to know who is on relief and who is not.

The gentleman read a rather extensive report. I think there ought to be some rule or regulation of the board as to what information can be made public, but it is not the desire of anybody to make public all the information that can be gathered by the board, such as what each member of the family is making and a whole lot of other confidential information that can be covered by the visitor. That is not now required by the act or the provision of the law. The question is, permission to make public under proper circumstances and under the rules and regulations adopted by the board, the information as to who is receiving relief, and I do not think there is any objection that can be made to that proposition.

There is no very great use made of it, and as far as I can determine there has been no abuse of the privilege whatsoever. The question has been raised as to the Federal Government and what is required. I think it is a very unfortunate circumstance that the Federal Government is more and more laying down rules and regulations so that government is being centralized more and more people in the totalitarian states, little by little they are being taken away from the people of Pennsylvania, in

exactly the same manner they were taken away from the people in the totalitarian states. little by little they are being centralized into one power. We must submit because if we do not, we do not get enough money to feed our people and therefore, we must comply with the rules and regulations that are made. If the Federal Government insists, no matter how wrong they may be in our opinion, we cannot make public any information as to those on special assistance, but of course we would not have to comply on general assistance, since the Federal Government gives us no money whatever to help us take care of those on general assistance.

It seems to me a matter of principle that has been adopted in government for many many years, and has been adopted in many of the other states, that there is no reason why those people on general assistance should feel that they are entitled to keep the information secret and prevent the public from knowing, not all the confidential information that the investigator has gotten on the subject, but to keep from the public the fact that they are on relief.

I have carefully gone into this bill, and it occurred to me during the debate, I am not sure but that under this amendment even official bodies are in many instances forbidden under this amendment to obtain information which they certainly, and the gentleman has agreed, they are entitled to. I may not be strictly accurate in all instances,—there may be some instances in which they can,—but I believe there are a number of instances where official bodies are forbidden under this amendment the right to receive the information which they ought to have in connection with the people on general assistance.

Mr. LEVY. Mr. Speaker, I do not want to prolong this debate. I merely want to answer two questions raised by the gentleman from Dauphin and the gentleman from Erie.

Mr. Woodside asked the House, and logically so, what other Bureaus held their information confidential. I might inform the gentleman from Dauphin that official records are not disclosed and the rules applying to them are in vogue in old age assistance, survivors insurance, the United States Census Bureau and the United States Veterans Administration and incidentally, the rule in vogue in the United States Veterans Administration Bureau is also in the State set-up and is in vogue by the State itself. I would say to the gentleman from Dauphin that there is nothing new about non-disclosure of confidential information. We have in State matters had the customary policy of the same confidence entrusted in records as that of a patient to his physician, as a lawyer to his clients, as the records of the Department of Public Welfare to the State Department of Public Health. I would say in answer to the gentleman from Dauphin that certainly there is nothing more serious in all these bureaus under the State and Federal set-up that there might not be incurred in the State Department of Public Assistance.

I want to say to the gentleman from Erie, if that is what he says he is trying to correct, then I say to him the answer lies not with the disclosure of public records, but the answer probably lies with the Administration of Public Assistance in Pennsylvania. When the gentleman from Erie has seen fit to read from the New York Department of Public Assistance Manual, he might also

have found out that in New York the visitors assigned to relief work are given a case load of from fifty to sixty cases, and in Pennsylvania, very surprisingly, the load per visitor is from one hundred and seventy-five to two hundred, if the Governor of the Commonwealth, were true to his own conviction, he would see to it that he brought before this House a proper appropriation bill for the Department of Public Assistance so that the relief load might be decreased rather than increased. I would say to the gentleman then that probably the reason for this deficiency is because of mal-administration in the Department of Public Assistance rather than in the bill that is brought before the House this afternoon.

Mr. DIX. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Levy.

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

Mr. LEVY. Mr. Speaker, I shall.

Mr. DIX. Mr. Speaker, I would like to ask the gentleman from Philadelphia if he were contributing to the support of some individual in his community, would he have the right to know who that person was.

Mr. LEVY. In answer to the gentleman from Wayne, Mr. Speaker, I would say that if I were directly contributing to the support of an individual in my district I would certainly know who he might be, but certainly in answer to the gentleman from Wayne, it would not be very ethical or gentlemanly to broadcast that fact.

Mr. DIX. Mr. Speaker, I did not ask that question. I asked that if he were supporting or contributing to the support of someone in his community or neighborhood, would he have the right to know who that person was. Will he answer me yes or no?

Mr. LEVY. Mr. Speaker, in answer to the gentleman—

Mr. DIX. Mr. Speaker, he is an attorney and is accustomed to questioning witnesses and I ask that he answer yes or no.

Mr. LEVY. Mr. Speaker, to the attorney from Wayne, permit me to answer him in this manner: if he is referring to the contributions made to recipients on relief, then I wish him to so state it emphatically. If he is not, then let him divulge the name of the person to whom I am contributing. It may be something new to me and to the other members of the House who are not so fortunate financially.

Mr. DIX. Mr. Speaker, it is very evident that the gentleman does not want to answer my question. I submit to you that any taxpayer has the right to know where his tax is going and to whom it goes. I think that rule is as old as the centuries and if you make contributions to anyone whether it is a church, or an individual or whether it is the Government, you have a right to know where those contributions go. This bill will prevent people from having the right to know who the recipients of relief are. The purpose of this bill, as I understand it, is not to hold up to ridicule or scorn or permit people to pry into other person's affairs. It is merely for the purpose of protecting the public. As a newspaper man I believe in publicity and the more publicity the better, I know there are certain gentlemen on the other side of the House who believe in doing things in the dark, who believe in doing things behind closed doors, and who

believe in going down in cellars and fighting it out. On the other hand I believe that publicity is the cure for a great many of our public evils and there is no reason in the world why any recipient of relief should object to having his name made known to some body of taxpayers.

I know very well that if I were on relief, getting fifteen or twenty dollars a week, I would not only be glad to have that known, but I would be glad to have it published in the newspapers.

Mr. Speaker, the floor leader, Mr. Woodside covered most of the things that I would like to say. I do say this however as a newspaper reporter, or as a taxpayer, you could go into your county seats and you can find out how many sales have been made, you can find out their appraisement, you can find out how much tax has been paid and you can find out who holds a judgment note. Now if these things are open to the public, and they certainly are, there is no reason why persons receiving relief should object to a taxpayer's having access to his records.

I would like to further interrogate the gentleman from Philadelphia, Mr. Levy.

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

Mr. LEVY. I shall, Mr. Speaker.

Mr. DIX. Mr. Speaker, I would like to make one more try at getting this answer.

I asked the gentleman whether he thought he had the right to know who was receiving contributions from him in case he was contributing to someone's support? I would like to have an answer to that question.

Mr. LEVY. Mr. Speaker, I want to be fair about it, but the gentleman asks me a question that is parallel to the fellow that runs over to your office and says suddenly have you stopped beating your wife?" I mean he is indefinite. I want to say to the gentleman from Wayne in all seriousness if he is going to ask a question, will he define what he means by contributing to someone's support. If he is going to ask whether I, as a taxpayer am contributing to people on relief then I will answer the question, but if he is going to make it vague and indefinite, I in all honesty cannot answer it.

Mr. DIX. Mr. Speaker, I do not mean people coming into his office. What I was going to ask him was inasmuch as he is a taxpayer and he contributes to relief then I ask, has he a payer to that information?

Mr. LEVY. No, Mr. Speaker, I would say I have not.

Mr. DIX. I am glad to know that.

Mr. SAMUEL ROSE. Mr. Speaker, I would like to state for the information of the gentleman from Wayne that the Republican Party has been in the dark for the past ten years and is still groping around there.

Mr. TURNER. Mr. Speaker, the Republican Party may at times have been in the dark but at least it knows how to throw light on dark places which is a great deal more than we can say for some of our friends in this House. I hope the gallery didn't get an idea, as far as the gentleman from Philadelphia, Mr. Levy, is concerned that the gentleman from Wayne, Mr. DIX, had any suspicion as to whom Mr. Levy was supporting in the dark. I will rise to the defense, never having had that privilege before, of Mr. Levy insofar as his integrity and the propriety of his conduct is concerned on the floor of this House. I understand each week he goes home and it is a question

there, but not on the floor of the House.

Mr. Speaker, this is quite a famous day. I have not received a message that the Governor wanted to see me, nor that the Senate was waiting for me to address them, but it happens to be April Fool's Day. I am wondering whether this bill which the gentleman from Philadelphia has offered is not somewhat of an April Fool joke. I rather smell some thing—and I don't want somebody to get up and criticise me for smelling something in this bill—but I rather smell something about it that does not appear in the ordinary print of this bill, nor is it exactly in the Printers ink.

The Joint State Government Commission made some investigation and found some very interesting results. I am convinced from reading this bill, as the gentleman from Dauphin stated, if this bill is enacted and becomes effective the Joint State Government Commission would not have the right to secure lists of names from any of the assistance boards.

During the time we were making our investigations of relief we came into a period when employment in Pennsylvania seemed very distinctly on the rise, and very suddenly we found that the relief rolls were on the rise also. We became curious as to how that could happen. We got a list of those who were put on relief in the preceding two weeks, and we gave them to certain members—we got a list of those counties where certain members of the Commission resided and we gave them to the Members of the Commission and asked them to make some little investigation. We got some information and some very startling results from those little investigations made by the members of the Commission in their own counties where they were able to get down to brass tacks and find out from their own knowledge of these people or from conditions in the neighborhood just what happened. We had a sneaking suspicion, and I had a conviction, that some of the people in the assistance department in the state were trying to boost the relief rolls a little bit to take care of the depletion that was happening because of the excess of unemployment in Pennsylvania.

Since the Joint State Government Commission's report has been filed we have received from time to time, from different county boards and from different groups, criticism of that report. I would like to say that most of it has been in commendation, but it is very interesting to note that the committee's report in almost all instances where it was criticized, the most violent criticism was heaped upon the attack on the visitor's qualifications and upon the question of chiseling. Therefore, I am wondering whether there isn't some one, or some group, in the background that has instigated this bill, in the belief that in the future they will want that power and will not want the legislature or any other group to seek to investigate the relief rolls. There is no reason why anybody should be alarmed about this power of the board to make known the names of those on relief. They can set up their own rules and regulations. I believe we all have confidence, certainly in the administration of the trained social workers, that they are going to protect those lists in every way from improper use, but there does come a time when it is essential for parties investigating relief and others to know who are on relief.

I am wondering if the Auditor General who conducts extensive investigations throughout this state from time to time, and sends representatives into the counties to make

investigations, would be able to do that under such a provision in this bill. I therefore feel that it is against public policy, and it is an unsafe procedure to place upon the statute books a law that would deny that right to the board, and to deny that right to the Department of Public Assistance, to make the names known of those on relief.

Mr. ACHTERMAN. Mr. Speaker, I differ with the gentleman from Delaware Mr. Turner, in his interpretation of this particular bill now before the House. I do not agree with him in the thought that the Joint State Government Commission or this Assembly or this Legislature would not have the power to demand and receive from the Department of Public Assistance the names of the recipients who are receiving alms, shall we say, from this Commonwealth. It is an inherent right of the parent government to know where and how its money is being spent, but not that the general public,—and when I speak of the general public I mean citizens or small groups of citizens constituting the general public, should ask who is receiving relief. I think it is fit and proper that that information should not become property, for general publicity. Certainly the information can be demanded by an organization or any Commission that has been or may be set up in the future by this Legislature, and I am saying to the gentleman from Delaware, Mr. Turner, that certainly he is groping in the dark when he infers that this government may not then learn what it is doing with its money after it passes this bill.

On the question recurring,
Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—112.

| | | | |
|-----------------|----------------|---------------|------------------|
| Achterman. | Gerard. | McDermott, | Reynolds. |
| Allmond, | Goodwin, | McFall, | Rooney, |
| Baker, | Gryskewicz, | McIntosh, | Rose, S., |
| Balthaser, | Haberlen, | McLanahan, | Rosenfeld, |
| Baughner, | Hamilton, | McLane, | Sarra, |
| Bentzel, | Harkins, | Melchiorre, | Scanlon, |
| Boles, | Harmuth, | Mihm, | Schwab, |
| Boney, | Harris, | Modell, | Shafer, |
| Bradley, | Heatherington, | Monks, | Shaw, |
| Breth, | Hering, | Mooney, | Stank, |
| Brown, | Herman, | Moran, | Stine, |
| Brunner, P. A., | Hersch, | Moul, | Tarr, |
| Burns, | Hirsch, | Munley, | Tate, |
| Chervenak, | Holland, | Nagel, | Thompson, E. F., |
| Chudoff, | Jefferson, | O'Brien, | Verona, |
| Cohen, M. M., | Keenan, | O'Connor, | Vincent, |
| Cohen R. E., | Keenan, | O'Mullen, | Vogt, |
| Croop, | Kline, | O'Neill, | Voldow, |
| DiGenova, | Kolankiewicz, | Owens, | Weiss, |
| Do'on, | Komorowski, | Petrosky, | Welsh, E. B., |
| D'Ortona, | Leonard, | Pettit, | Welsh, M. J., |
| Early, | Lesko, | Polaski, | Williams, |
| Elliott, | Levy, | Polen, | Wolf, |
| Falkenstein, | Louco, | Powers, | Woodring, |
| Finestone, | Lovett, | Prosen, | Wright, |
| Finnerty, | Malloy, | Rausch, | Yester, |
| Flynn, | Marks, | Readinger, | Young, |
| Gallagher, | Maxwell, | Reese, R. E., | Kilroy, Speaker |
| | McClanahan, | | |

NAYS—71.

| | | | |
|-----------------|---------------|---------------|------------------|
| Auker, | Greenwood, | McClester, | Sorg, |
| Boorse, | Gross, | McDowell, | Stambaugh, |
| Bower, | Gyger, | McKinney, | Stockham, |
| Bretherick, | Habbyshaw, | McMillen, | Taylor, |
| Brunner, C. H., | Haines, | Muir, | Thompson, R. L., |
| Cadwalader, | Hare, | O'Dare, | Trout, |
| Cook, | Helm, | Rank, | Turner, |
| Cooper, | Hewitt, | Reagan, | Van Allsburg, |
| Cordier, | Huntley, | Reese, D. P., | Voorhees, |
| Dennison, | Imbrie, | Rhea, | Wagner, |
| Elder, | James, | Riley, | Watkins, |
| Fiss, | Jones, G. E., | Rose, W. E., | Weingartner, |

| | | | |
|-----------|-------------|---------------|--------------|
| Fleming, | Knoble, | Royer, | Winner, |
| Fletcher, | Krise, | Sarge, | Wood, L. H., |
| Foor, | Lee, E. A., | Serrill, | Wood, N., |
| Gates, | Leisey, | Simons, | Woodside, |
| Gillan, | Leydic, | Snyder, | Yeakel, |
| Gillette, | Lyons, | Sollenberger, | |

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 THIRD READING AND FINAL PASSAGE

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 690, as follows:

An Act to further amend sections 402 411 703 704 705 and 903 and to repeal section 706 of the act approved the first day of May one thousand nine hundred twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damage caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" providing for the registration and fixing registration fees of commercial motor vehicles truck tractors trailers and semi-trailers according to gross weight fixing the maximum gross weight of such vehicles which may be used and operated on the highways and eliminating existing provisions relating to the chassis of such vehicles

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 That the definition of the word "chassis" in section 102 of the act approved May first one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing

for refunds' as last amended by the act approved June twenty-seventh one thousand nine hundred and thirty-nine (P. L. 1135) which reads as follows:

"Chassis" The chassis of a motor vehicle to be propelled by an internal combustion or steam engine shall consist of an assembly of all essential parts with protective housings ready for operation on the highway including as minimum equipment a set of tires attached to the wheels driver's seat including cab front wheel fenders running board or mounting step tool compartment priming coat on all parts to be painted pair of front lamps and one rear lamp license brackets jack and a set of tools commonly used for making adjustments and minor repairs on the highway water oil and fuel

Be and the same is hereby repealed

Section 2 That section 402 of said act as amended by the acts approved June twenty-second one thousand nine hundred and thirty-one (P. L. 751) and July nineteenth one thousand nine hundred and thirty-five (P. L. 1056) is hereby further amended to read as follows

Section 402 Application for Registration (a) Application for the registration of a motor vehicle trailer or semi-trailer shall be made to the department upon a form furnished by the department The application shall contain the full name and the actual or bona fide address of the owner or owners together with the name manufacturer's serial number engine number the character of the motive power and the horsepower or seating capacity and in the case of commercial motor vehicles the gross weight [of the chassis] as given and certified to by the manufacturer and in the case of electric commercial motor vehicles the gross [maximum] weight [of chassis battery body and load] as given and certified to by the manufacturer and in the case of trailers and semi-trailers the [combined weight of the chassis and body if so constructed or the] gross weight of the trailer or semi-trailer [exclusive of the load to be transported] as certified to by the manufacturer and also such description of the motor vehicles trailer or semi-trailer including lamps and other equipment as the secretary shall require The application shall be signed by the owner if a natural person and in cases where the owner is a corporation copartnership or association by an executive officer thereof or some person specifically authorized by said corporation copartnership or association to sign the same and shall be accompanied by the fee provided in this act

(b) Applicants for registration who are not residents of this Commonwealth shall by their application in addition to the above requirements designate the secretary as their authorized agent upon whom process may be served

(c) Annual renewals of the registration of a motor vehicle shall be made in such manner as the department may require upon a form furnished by the department accompanied by the fee provided in this act The department shall mail such forms to the last address of the owner as it appears on the department records

Provided That annual renewal forms will not be mailed to owners of motor vehicles not registered by such owners during the previous year Such renewal forms may however be obtained upon presentation of certificate of title or such other information as the secretary may deem satisfactory

Section 3 That section 411 of said act as last amended by the act of June twenty-seven one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 411 Transfer Of Registration (a) Upon transfer of ownership or the destruction of any motor vehicle trailer or semi-trailer the registration shall expire

(b) When transfer of registration plates is made from one motor vehicle to another owned by the same person application shall be made immediately to the Department upon a form furnished by the department accompanied by the transfer fee provided in this act when the motor vehicle trailer or semi-trailer is of equal or less horsepower or classification than that originally registered or accompanied by the transfer fee provided in this act and the difference between the fee originally paid and that due if the motor vehicle trailer or semi-trailer to which

the registration plates are transferred be properly registered in a higher class

(c) The application shall contain the full name and the actual or bona fide address of the owner together with the name manufacturer's serial number engine number the character of the motive power and the horsepower or seating capacity and in the case of a commercial motor vehicle the gross weight [of the chassis as given and certified to by the manufacturer and in the case of electric commercial motor vehicles the gross [maximum] weight [of chassis battery body and load] as given and certified to by the manufacturer and in the case of trailers and semi-trailers the [combined weight of the chassis and body] gross weight as certified to by the manufacturer and also such description of the motor vehicle trailer or semi-trailer including lamps and other equipment as the secretary shall require The application shall be signed by the owner if a natural person and in the cases where the owner is a corporation co-partnership or association by an executive officer thereof or some person specifically authorized by the said corporation co-partnership or association to sign the same

(d) When a transfer of registration is made the owner shall be given a transfer registration card and new registration number if transfer is made to another classification Immediately upon receipt of such transfer registration card the owner shall return to the department the original registration card unless such card has been lost or destroyed

(e) When a transfer of registration is made after a vehicle has been registered for the succeeding year and the transfer application has been received and completed by the department prior to April [January] first of such succeeding year the transfer fee provided in this act shall not be required

Penalty Any person violating any of the provisions of subsections (b) or (d) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten (\$10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 4 That section 703 of said act as last amended by the act of June twenty-second one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended to read as follows

[Section 703 Commercial Motor Vehicles And Truck Tractors With Pneumatic Tires Commercial motor vehicles and truck tractors with pneumatic tires other than those electrically operated shall be divided into eight (8) classes and the fee for annual registration of such vehicles in each of the respective classes based on [the gross chassis weight as given and certified to by the manufacturer shall be as follows

| Four-Wheeled | | |
|--------------|----------------------------------|----------|
| Class | Chassis Weight in Pounds | Fee |
| R | Less than 2000 | \$ 16.50 |
| S | 2000 and over but less than 3000 | 26.00 |
| T | 3000 and over but less than 4000 | 35.00 |
| U | 4000 and over but less than 5000 | 45.00 |
| V | 5000 and over but less than 6000 | 63.00 |
| W | 6000 and over but less than 7500 | 90.00 |
| Y | 7500 and over but less than 9000 | 110.00 |
| Z | 9000 and over | 155.00 |

| Six-Wheeled (3 Axles) | | |
|-----------------------|-----------------------------------|----------|
| Class | Chassis Weight in Pounds | Fee |
| RZ | 2000 and over but less than 3000 | \$ 40.00 |
| SZ | 3000 and over but less than 4000 | 50.00 |
| TZ | 4000 and over but less than 5000 | 60.00 |
| UZ | 5000 and over but less than 6000 | 90.00 |
| VZ | 6000 and over but less than 7500 | 155.00 |
| WZ | 7500 and over but less than 9000 | 175.00 |
| YZ | 9000 and over but less than 12000 | 200.00 |
| ZZ | 12000 and over | 225.00 |

Section 703 Commercial Motor Vehicles and Truck Tractors Commercial motor vehicles and truck tractors shall be divided into eight (8) classes and the fee for annual registration of such vehicles in each of the respective classes based on the gross weight as given and certified to by the manufacturer shall be as follows

| Class | Gross Weight In Pounds | Pneu Tires | Fee Cushion Tires | Solid Tires |
|----------|--------------------------------------|---------------|-------------------------|----------------|
| Two Axle | | | | |
| R | Less than 5001 | \$ 16.00 | \$ 21.00 | \$ 27.00 |
| S | 5001 and over but less than 7001 | 23.00 | 28.00 | 40.00 |
| T | 7001 and over but less than 11,001 | 35.00 | 44.00 | 60.00 |
| U | 11,001 and over but less than 15,001 | 45.00 | 60.00 | 76.00 |
| V | 15,001 and over but less than 19,001 | 70.00 | 92.00 | 120.00 |
| W | 19,001 and over but less than 23,001 | 96.00 | 124.00 | 160.00 |
| Y | 23,001 and over but less than 27,001 | 120.00 | 156.00 | 204.00 |
| Z | 27,001 and over but less than 30,001 | 175.00 | 228.00 | 296.00 |

| Class | Gross Weight in Pounds | Pneu Tires | Fee Cushion Tires | Solid Tires |
|------------|--------------------------------------|---------------|-------------------------|----------------|
| Three Axle | | | | |
| RZ | Less than 12,001 | 40.00 | 52.00 | 68.00 |
| SZ | 12,001 and over but less than 16,001 | 52.00 | 68.00 | 88.00 |
| TZ | 16,001 and over but less than 20,001 | 72.00 | 92.00 | 120.00 |
| UZ | 20,001 and over but less than 24,001 | 104.00 | 136.00 | 176.00 |
| VZ | 24,001 and over but less than 28,001 | 136.00 | 176.00 | 232.00 |
| WZ | 28,001 and over but less than 32,001 | 168.00 | 216.00 | 284.00 |
| YZ | 32,001 and over but less than 36,001 | 200.00 | 260.00 | 340.00 |
| ZZ | 36,001 and over but less than 40,001 | 232.00 | 300.00 | 392.00 |

Section 5 That section 704 of said act as amended by the act of June twenty-second one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended to read as follows

[Section 704 Commercial Motor Vehicles And Truck Tractors with solid rubber or cushion rubber tires Commercial motor vehicles and truck tractors with solid rubber or cushion tires approved by the Secretary of Highways of this Commonwealth other than those electrically operated shall be divided into eight (8) classes and the fee for the annual registration of such vehicles in each of the respective classes based on the gross chassis weight as given and certified to by the manufacturer shall be as follows

| Class | Chassis Weight in Pounds (Solid Rubber Tires) | Fee |
|-------|--|----------|
| R | Less than 2000 | \$ 23.00 |
| S | 2000 and over but less than 3000 | 45.00 |
| T | 3000 and over but less than 4000 | 60.00 |
| U | 4000 and over but less than 5000 | 75.00 |
| V | 5000 and over but less than 6000 | 105.00 |
| W | 6000 and over but less than 7500 | 150.00 |
| Y | 7500 and over but less than 9000 | 190.00 |
| Z | 9000 and over | 300.00 |

| Class | Gross Weight in Pounds | Pneu Tires | Fee Cushion Tires | Solid Tires |
|-----------------------|-----------------------------------|---------------|-------------------------|----------------|
| Six-Wheeled (3 Axles) | | | | |
| RZ | 2000 and over but less than 3000 | 65.00 | | |
| SZ | 3000 and over but less than 4000 | 75.00 | | |
| TZ | 4000 and over but less than 5000 | 90.00 | | |
| UZ | 5000 and over but less than 6000 | 150.00 | | |
| VZ | 6000 and over but less than 7500 | 275.00 | | |
| WZ | 7500 and over but less than 9000 | 300.00 | | |
| YZ | 9000 and over but less than 12000 | 325.00 | | |
| ZZ | 12000 and over | 350.00 | | |

| Class | Chassis Weight in Pounds (Cushion Rubber Tires) | Fee |
|-------|--|---------|
| R | Less than 2000 | \$25.00 |
| S | 2000 and over but less than 3000 | 35.00 |
| T | 3000 and over but less than 4000 | 50.00 |
| U | 4000 and over but less than 5000 | 60.00 |
| V | 5000 and over but less than 6000 | 85.00 |
| W | 6000 and over but less than 7500 | 125.00 |

| | | |
|-----------------------|-----------------------------------|---------|
| Y | 7500 and over but less than 9000 | 150.00 |
| Z | 9000 and over | 200.00 |
| Six-Wheeled (3 Axles) | | |
| RZ | 2000 and over but less than 3000 | \$55.00 |
| SZ | 3000 and over but less than 4000 | 65.00 |
| TZ | 4000 and over but less than 5000 | 70.00 |
| UZ | 5000 and over but less than 6000 | 125.00 |
| VZ | 6000 and over but less than 7500 | 200.00 |
| WZ | 7500 and over but less than 9000 | 225.00 |
| YZ | 9000 and over but less than 12000 | 250.00 |
| ZZ | 12000 and over | 275.00 |

Section 704 Trailers and Semi-Trailers Trailers and Semi-Trailers shall be divided into classes and the fee for annual registration of such vehicles in each of the respective classes based on the gross weight as given and certified to by the manufacturer shall be as follows

| Class | Gross Weight in Pounds | Pneu Tires | Fee Cushion Tires | Solid Tires |
|-----------------------|--------------------------------------|---------------|-------------------------|----------------|
| One Axle Semi-Trailer | | | | |
| A | Less than 3001 | \$5.00 | \$6.00 | \$8.00 |
| B | 3001 and over but less than 6001 | 8.00 | 10.00 | 15.00 |
| C | 6001 and over but less than 10,001 | 15.00 | 20.00 | 25.00 |
| D | 10,001 and over but less than 12,001 | 25.00 | 30.00 | 35.00 |
| E | 12,001 and over but less than 14,001 | 30.00 | 40.00 | 50.00 |
| F | 14,001 and over but less than 16,001 | 45.00 | 60.00 | 75.00 |
| G | 16,001 and over but less than 18,001 | 75.00 | 85.00 | 100.00 |
| H | 18,001 and over but less than 22,401 | 100.00 | 125.00 | 150.00 |

| Class | Gross Weight in Pounds | Pneu Tires | Fee Cushion Tires | Solid Tires |
|----------------------------------|--------------------------------------|---------------|-------------------------|----------------|
| Two Axle Trailer or Semi-Trailer | | | | |
| A | Less than 3001 | \$5.00 | \$6.00 | \$8.00 |
| B | 3001 and over but less than 6001 | 8.00 | 10.00 | 15.00 |
| C | 6001 and over but less than 10,001 | 15.00 | 20.00 | 25.00 |
| D | 10,001 and over but less than 16,001 | 25.00 | 30.00 | 35.00 |
| E | 16,001 and over but less than 20,001 | 30.00 | 40.00 | 50.00 |
| F | 20,001 and over but less than 24,001 | 45.00 | 60.00 | 75.00 |
| G | 24,001 and over but less than 26,001 | 75.00 | 85.00 | 100.00 |

| Class | Gross Weight in Pounds | Pneu Tires | Fee Cushion Tires | Solid Tires |
|--------------------|--------------------------------------|---------------|-------------------------|----------------|
| Three Axle Trailer | | | | |
| AZ | Less than 12,001 | 40.00 | 45.00 | 50.00 |
| EZ | 12,001 and over but less than 15,001 | 45.00 | 50.00 | 60.00 |
| CZ | 15,001 and over but less than 20,001 | 50.00 | 60.00 | 70.00 |
| DZ | 20,001 and over but less than 26,001 | 60.00 | 75.00 | 90.00 |
| EZ | 26,001 and over but less than 30,001 | 75.00 | 100.00 | 125.00 |
| FZ | 30,001 and over but less than 34,001 | 85.00 | 110.00 | 135.00 |
| CZ | 34,001 and over but less than 36,001 | 100.00 | 125.00 | 150.00 |

Section 6 That section 705 of said act as amended by the act of June twenty-second one thousand nine hundred and thirty-one (P. L. 751) is hereby further amended to read as follows

Section 705 Electrically Operated Commercial Motor Vehicles and Truck Tractors Electrically operated commercial motor vehicles and truck tractors shall be divided into (3) classes and the fee for annual registration of such vehicles in each of the respective classes based on the gross maximum weight of chassis battery body and load as given and certified to by the manufacturer shall be as follows

| Class | Weight of Chassis Battery Body and Load in Pounds | Fee |
|-------|---|---------|
| R | Less than 5001 | \$16.00 |

| | | |
|---|------------------------------------|--------|
| S | 5001 and over but less than 7001 | 26.00 |
| T | 7001 and over but less than 11001 | 35.00 |
| U | 11001 and over but less than 15001 | 45.00 |
| V | 15001 and over but less than 18001 | 63.00 |
| W | 18001 and over but less than 22001 | 90.00 |
| Y | 22001 and over but less than 25001 | 110.00 |
| Z | 25001 and over but less than 26000 | 155.00 |

Six-Wheeled (3 Axles)

| | | |
|----|------------------------------------|---------|
| RZ | Less than 12001 | \$40.00 |
| SZ | 12001 and over but less than 14001 | 50.00 |
| TZ | 14001 and over but less than 16001 | 60.00 |
| UZ | 16001 and over but less than 22001 | 90.00 |
| VZ | 22001 and over but less than 26001 | 155.00 |
| WZ | 26001 and over but less than 30001 | 175.00 |
| YZ | 30001 and over but less than 34001 | 200.00 |
| ZZ | 34001 and over but less than 36000 | 225.00 |

Section 705 Registration of Certain Vehicles Heretofore registered Commercial motor vehicles truck tractors trailers and semi-trailers which were registered in this state or elsewhere on January 1, 1942 shall continue to be registered in the same registration class as heretofore or be first registered in this state in said class and such vehicles shall be governed as to gross weight by the provisions of this act applicable to said class without the gross weight therefor having been certified to by the manufacturer Provided however that in those cases where a commercial motor vehicle has been titled or registered anywhere prior to January 1, 1942 as a passenger vehicle that its registration hereafter shall be on the same basis as vehicles registered as commercial vehicles prior to January 1, 1942

Section 7 That section 903 of said act as amended by the acts of June twenty-second one thousand nine hundred and thirty-one (P. L. 751) and June twenty-ninth one thousand nine hundred and thirty-seven (P. L. 2329) and June twenty-seventh one thousand nine hundred and thirty-nine (P. L. 1135) is hereby further amended to read as follows

Section 903 Weight of Vehicles And Loads (a) Commercial motor vehicles and truck tractors other than those electrically operated shall not be used or operated on any highway with gross weight exceeding those specified for the several classes and weights of chassis as follows

Four-Wheeled (2 Axles)

| Class | Chassis Weight in Pounds | Maximum Gross Weight In Pounds |
|-------|----------------------------------|--------------------------------|
| R | Less than 2000 | 5000 |
| S | 2000 and over but less than 3000 | 7000 |
| T | 3000 and over but less than 4000 | 11000 |
| U | 4000 and over but less than 5000 | 15000 |
| V | 5000 and over but less than 6000 | 18000 |
| W | 6000 and over but less than 7500 | 22000 |
| Y | 7500 and over but less than 9000 | 25000 |
| Z | 9000 and over | 26000 |

Six-Wheeled (3 Axles)

| | | |
|----|-----------------------------------|-------|
| RZ | 2000 and over but less than 3000 | 12000 |
| SZ | 3000 and over but less than 4000 | 14000 |
| TZ | 4000 and over but less than 5000 | 16000 |
| UZ | 5000 and over but less than 6000 | 22000 |
| VZ | 6000 and over but less than 7500 | 26000 |
| WZ | 7500 and over but less than 9000 | 30000 |
| YZ | 9000 and over but less than 12000 | 34000 |
| ZZ | 12000 and over | 36000 |

(b) Electrically operated commercial motor vehicles and truck tractors shall not be used or operated on any highways with gross weight exceeding those specified for the several classes as follows:

Four-Wheeled (2 Axles)

| Class | Maximum Gross Weight in Pounds |
|-------|--------------------------------|
| R | 5000 |
| S | 7000 |
| T | 11000 |
| U | 15000 |
| V | 18000 |
| W | 22000 |

| | |
|---|-------|
| Y | 25000 |
| Z | 26000 |

Six-Wheeled (3 Axles)

| | |
|----|-------|
| RZ | 12000 |
| SZ | 14000 |
| TZ | 16000 |
| UZ | 22000 |
| VZ | 26000 |
| WZ | 30000 |
| YZ | 34000 |
| ZZ | 36000 |

(c) Trailers and semi-trailers shall not be used or operated on any highway with gross weight exceeding those specified for the several classes as follows

Four-Wheeled (2 Axles)

| Class | Trailer or Semi-Trailer Weight in Pounds | Maximum Gross Weight in Pounds |
|-------|--|--------------------------------|
| A | Less than 1000 | 6000 |
| B | 1000 and over but less than 2000 | 6000 |
| C | 2000 and over but less than 3000 | 10000 |
| D | 3000 and over but less than 4000 | 16000 |
| E | 4000 and over but less than 5000 | 20000 |
| F | 5000 and over but less than 6000 | 24000 |
| G | 6000 and over | 26000 |

Six-Wheeled (3 Axles) Trailer

| | | |
|----|----------------------------------|-------|
| AZ | Less than 3000 | 12000 |
| BZ | 3000 and over but less than 4000 | 15000 |
| CZ | 4000 and over but less than 5000 | 20000 |
| DZ | 5000 and over but less than 6000 | 26000 |
| EZ | 6000 and over but less than 7000 | 30000 |
| FZ | 7000 and over but less than 9000 | 36000 |
| GZ | 9000 and over | 36000 |

Two-Wheeled (1 Axle) Semi-Trailer

| | | |
|---|----------------------------------|-------|
| A | Less than 1000 | 3000 |
| B | 1000 and over but less than 2000 | 6000 |
| C | 2000 and over but less than 3000 | 10000 |
| D | 3000 and over but less than 4000 | 12000 |
| E | 4000 and over but less than 5000 | 14000 |
| F | 5000 and over but less than 6000 | 16000 |
| G | 6000 and over | 18000 |

(a) No commercial motor vehicle or truck tractor shall be used or operated on any highway with a gross weight exceeding the maximum specified in section 703 for the registration class represented by registration plate displayed thereon

(b) No trailer or semi-trailer shall be used or operated on any highway with a gross weight exceeding the maximum specified in section 704 for the registration class represented by the registration plate displayed thereon

(c) No commercial motor vehicle truck tractor trailer nor semi-trailer shall be used or operated on any highway with a gross weight exceeding the maximum specified in sections 703 and 704 respectively for the registration class within which the gross weight as given or certified to by the manufacturer requires that it be registered

(d) No two-wheeled vehicle except fire department equipment shall be operated upon any highway with gross weight in excess of [eighteen thousand (18,000)] twenty-two thousand four hundred (22,400) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire

(e) No four-wheeled vehicle except fire department equipment and any motor bus operated within a municipality or in a business or residence district shall be operated upon any highway with a gross weight in excess of [twenty-six thousand (26,000) pounds or in excess of eighteen thousand (18,000)] thirty thousand (30,000) pounds or in excess of twenty-two thousand four hundred (22,400) on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel

(f) No six or more wheeled vehicle except fire department equipment shall be operated upon any highway with gross weight in excess of [thirty-six thousand (36,000) pounds or in excess of eight thousand (8,000)] forty thousand (40,000) pounds or in excess of ten thousand

(10,000) pounds on the front axle or in excess of [sixteen thousand five hundred (16,500)] twenty-two thousand four hundred (22,400) pounds on any one of the rear axles or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel and the two rear axles shall be parallel and shall not be less than thirty-six (36) inches apart

(g) No truck tractor and semi-trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of thirty-nine thousand (39,000) pounds or in excess of eighteen thousand (18,000) pounds on any axle or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel axle or axles of semi-trailer shall not be less than ninety-six (96) inches from the axle of the truck tractor

(g) No truck tractor and semi-trailer combined except Fire Department equipment shall be operated upon any highway with a gross weight in excess of fifty thousand (50,000) pounds nor in excess of two hundred twenty (220) per cent of the allowable gross weight of the truck tractor if manufactured with two axles nor in excess of one hundred seventy (170) per cent of the allowable gross weight of the truck tractor if manufactured with three axles nor in excess of twenty-two thousand four hundred (22,400) pounds on any one axle nor in excess of eight hundred (800) pounds on any one axle for each nominal inch of width of tire on such wheel the axle or axles of a semi-trailer shall not be less than ninety-six (96) inches from the axle of the truck tractor

(h) No commercial motor vehicle and trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of two hundred twenty (220) per cent of the allowable gross weight of the commercial motor vehicle if manufactured with two axles nor in excess of one hundred seventy (170) per cent of the allowable gross weight of the commercial motor vehicle if manufactured with three axles nor in excess of sixty-two thousand (62,000) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel

No truck tractor semi-trailer and trailer combined except fire department equipment shall be operated upon any highway with a gross weight in excess of two hundred twenty (220) per cent of the allowable gross weight of the truck tractor if manufactured with two axles nor in excess of one hundred seventy (170) per cent of the allowable gross weight of the truck tractor if manufactured with three axles nor in excess of sixty-five thousand (65,000) pounds or in excess of eight hundred (800) pounds on any one wheel for each nominal inch of width of tire on such wheel

(i) Maximum gross weights provided in this section are permissible only under conditions where no other restrictions are provided in this act or in any other laws regulating the gross maximum weight of vehicles

Penalty Any person operating any vehicle upon any highway with a gross weight or axle load exceeding by more than five (5) per centum the maximum gross weight or axle load allowed and not exceeding by more than ten (10) per centum the maximum gross weight or axle load allowed shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five (\$25) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days and any person operating any vehicle on any highway with a gross weight or axle load exceeding by more than ten (10) per centum the maximum gross weight or axle load allowed shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty (\$50) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 8 That section 706 of said act is hereby repealed

Section 9 This act shall become effective thirty days after final enactment except as to registration fees which shall first become effective for the registration year commencing April first one thousand nine hundred forty-two and until said date the provisions of law now in force

as to registration fees shall continue in full force and effect

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. HOLLAND. Mr. Speaker and members of the House, first of all I want to clear the matter that was discussed last night. There was a request made for a public hearing on March 18th, and this request was made in a letter signed by Mr. H. A. Thompson, representing and speaking for the State League of 3rd Class Cities, State Association of Boroughs, the State Association of Township Commissioners and the State Association of Township Supervisors.

It is very interesting to study the history: of legislation in different eras that have existed in past years and what exists today. If one takes the trouble to make a study of our legislative branches both in Harrisburg and in Washington, you will find that different industries have influenced legislators' minds—by pressure groups that have been well organized by these particular industries, and by political donations to political parties.

For years river transportation secured any type of legislation, because it dominated the political field. Then railroads came along and they had the ready cash and some of the greatest scandals known in our political life were exposed from time to time. Then we went into the manufacturing era and manufacturers' associations dictated to government for they made the biggest political contributions of that day. Then public utilities came into the field and had control and have some control even today, but not as much as they had before the downfall of "Insul in Chicago". About this time the people revolted against special interests in government and voted out of power the hold that the Republican Party had on government, and I want you to pay particular attention that I state "voted out of power" because the public did not vote for the Democratic Party. Their vote was a vote of protest against conditions that were permitted to exist in this democracy that we love to speak about. But now we find creeping into government again some of the evils that we thought we had banished from political life, and we find the "smell of oil" circulating through out legislative halls because they are now in the driver's seat so to speak, and by big political contributions are able to influence legislation. It seems a shame that all the ideals that we talked about so much in the last eight years are being put aside for what is termed "practical politics". However, I feel that there are many Members in this House who are still firm believers in their ideals of government and still have the desire to serve the great mass of people instead of any one particular interest. Of course, the "practical politician" tells you that the public will not appreciate this service. However, I still believe in the intelligence of the American public when it comes to voting.

Now let us consider the labor question because it has been injected into this argument. Labor leaders in this Commonwealth state that this bill will benefit the teamsters, or "truck drivers" as they are called today. It seems a shame that labor through some misapprehension can be played against labor, because one of the arguments is that these trucks must be raised to a higher weight to permit the truckers to meet in open competition with the

railroads. Now I remember, as a boy these same arguments being used by the railroads against river transportation, when similar legislation was up for discussion as it is today. You talk to any old railroad man and he will tell you that in the old days they too, were falsely led on the assumption that by increasing train loads they would have more business for the railroads and more work for labor. But it didn't work out as the theory did on paper. I believe one of the best examples of how this theory has worked is to refer you to the national publicity issued by the Association of American Railroads in all the magazines last week under the heading that "Railroads Are Ready." In this item a paragraph appears which is as follows:

"Railroads efficiency more than double. That is the net result of larger engines and cars, longer trains, faster schedules, and improved operation methods. Comparing 1929 with 1918 they state in the peak year of 1929 the railroads hauled eight and one-quarter million more carloads of freight than they did in 1918, although they had sixty thousand fewer cars and five thousand fewer locomotives."

Five thousand fewer locomotives means five thousand less engineers, and five thousand less firemen, and five thousand less conductors, and fifteen thousand less brakemen. This, I believe, emphasizes that if we increase the weight of each truck by seven tons, that for every fifth trip made under the new weight, one truck driver shall be denied employment. This is what experience teaches us in dealing with the railroad problem and this same experience will be learned in the future to those who earn their living as truck drivers.

Now we come to 1941 and we are asked to vote on a bill on the argument that other states permit larger trucks on their highways, and if we don't bring our standards up to their standards, we will lose the trucking industry. I have heard this same argument used in my four sessions of this House on every special piece of legislation, and on every tax measure that was ever debated on this floor, and in those seven years I have not seen any one leave Pennsylvania for that reason. Asking for legislation on this basis makes an endless chain for after it is secured in Pennsylvania the motor trucking interests will again start the rounds and through political pull and pressure will again have the trucks increased in weight and in another session will be back asking new legislation and using the same arguments on a new Assembly. However, one cannot compare conditions in one state to conditions in another state. The topography of each individual state must be considered, and I don't think anyone needs to be informed about the hills and mountains in Pennsylvania. Then again financing the improvement of streets and roads must be considered. In all the states that are being mentioned, gasoline funds are not kept exclusively by the state, but are distributed on a very substantial basis to every municipality in that state. This is not done in Pennsylvania with the exception of the second class townships and the one-half cent per gallon which goes to counties. I do not want to take too much time in the House in reading from papers, but if you will refer to any paper in any city in Pennsylvania, you will find items containing deplorable conditions of our city streets, as well as our boroughs and townships.

You who are in favor of this bill are going to say that the new tires used on trucks will not affect our streets, but you forget that when winter comes in Pennsylvania, heavy

chains must be used on these tires and if any member of this House doubts my word, I will be only too glad to take him over the truck routes in our city of Pittsburgh and show him how these trucks have churned big holes in our pavements. Now then these holes are churned in, who pays for the repairs? It is the poor real estate owner who pays and pays and not the trucking company that comes from Maryland, New York, or some other state. It is these good people of Pennsylvania who have saved their money, depriving themselves of many luxuries to secure a home. These are the people of whom we speak of as being "the backbone of America," and the people we worry so much about before election. They do not have money to "lobby" in Harrisburg. They have elected you as their "lobbyists" as well as their "legislators". If you feel that these small home owners of Pennsylvania should pay the bills of maintaining our streets and permit the trucking industry to come in here session after session and impose upon their shoulders increases in real estate taxes, then it is up to you to vote accordingly. City streets have not been constructed to carry these loads. The vibration alone of our present trucks in our cities, where narrow streets are so prevalent, is not only destroying our streets, but destroying our homes. There isn't a day that some home owner does not come into my office in the city of Pittsburgh complaining of trucks causing plaster in their homes to crack because remember that the vibration of the truck works as when you throw a stone into the water. The vibration of the water caused by that stone disappears if the stream is wide enough and the same holds true for a truck that passes through one of our narrow streets.

Commissioner Kane of Allegheny County, who has a reputation of serving the people, and the people only, has pointed out through the newspapers that the roads of Allegheny County cannot take this added load. He has also pointed out that practically every bridge in Allegheny County cannot take this extra load and will have to be posted, but posting does not do any good unless you have a police officer stationed at the bridge. The city administration of the city of Pittsburgh through their engineering department has written to the law department that our city streets cannot take his load. The Cities of the Third Class in this Commonwealth have gone on record against this measure. The borough and township associations have gone on record that there will be very few streets left in their townships and boroughs if we are going to add more weight to trucks. These people have spoken on behalf of the local taxpayers and the small home owners of their communities, so it is up to us to decide whether or not we serve them or serve the special interests that ask for this legislation. Your vote, if it is in favor of this bill, means that you vote to compel every home owner in the state of Pennsylvania to subsidize the trucking industry.

Mr. ELLWOOD B. WELSH. Mr. Speaker, the gentleman from Allegheny, who has very effectively approached this question in his discussion of House Bill 690, has given his viewpoint and a conglomeration of history which in the main has been padded and exaggerated. The question of trucks traversing our highways is no new problem to us. For years the Legislature has done nothing about the question of regulating weights—since 1923 when heavy tires carried the truck convoys over the roadways of the Commonwealth.

In the matter of safety which has been mentioned by

many persons discussing the present measure we find that the National Safety Council, in computations based on that as compiled by the United States Census Bureau, states that during the period from 1927 to 1937 deaths resulting from accidents in which motor trucks were involved declined 15 percent and during the same period fatalities resulting from passenger car accidents increased 47 percent. The statement further points to the fact that motor truck registrations increased 38.07 percent, while passenger car registrations increased only 19.67 percent in the same period.

The National Safety Council states that motor trucks stood alone in showing a fatality rate decrease in 1937 as compared with 1936 in the amount of 10 percent. During the same period motorcycles, passenger cars and other vehicles had an increase in 1937 over 1936 of 2 percent each.

The National Safety Council reports that out of 45 thousand fatal accidents in 1937, 78 percent involved passenger vehicles while trucks were involved in only 18 percent. The remaining 4 percent were divided equally among buss, taxicabs and motorcycles.

The 1937 Annual Report of the Pennsylvania Public Utility Commission indicates that trucks engaged in merchandise and freight transportation were involved in only 2,969 reportable accidents which resulted in a total of 8 fatalities.

The Bureau of Highway Safety, Pennsylvania Department of Revenue, in reporting for the year 1937, indicated that 6 percent of the registered passenger car vehicles in Pennsylvania were involved in accidents that year; whereas for the same period 5 percent of the registered trucks were involved in accidents. The fatalities resulting from these accidents were in the ratio of .13 percent for passenger cars and .15 percent for motor trucks. Note that the average truck travels a considerably greater mileage each year than the average passenger car which indicates that the truck has a considerable better safety record on the basis of the above figures.

Statement 39, page S-86, of the Fiftieth Annual Report of the Statistics of Railways in the United States for the year ending December 31, 1936, issued by the Interstate Commerce Commission, states that all the railroads in the United States paid the sum of \$321,271,709.

Using the statistics of the Federal Bureau of Public Roads, Department of Agriculture, as the basis and assuming that the average motor vehicle uses 12 hundred gallons of gasoline per year, the total registration and gasoline tax alone paid by the trucking industry in 1936 amounted to \$342,475,618.

The report of the Interstate Commerce Commission, mentioned above, reveals that all the railroads in Pennsylvania in 1936 paid the sum of \$12,890,077. For the same period using the records of registration the figures of the Pennsylvania Department of Revenue, and an estimated 12 hundred gallon, the trucks in the State of Pennsylvania paid the sum of \$26,395,872 for registration and gasoline taxes alone. Note—in these figures pertaining to the taxes paid by the trucking industry no attempt has been made to estimate the Federal Excise Tax on new trucks in the amount of 2 percent of the wholesale value; on parts and accessories in the amount of 2 percent; on lubricating oil at 4 cents per gallon; on tires at 2¼ cents per pound; on inner-tubes at 4 cents per pound; nor has any estimate been included for special municipal, county gasoline tax and registration fees on trucks effective in many states

and municipalities throughout the Nation. No cognizance has been taken of personal property taxes, general sales taxes, income taxes, corporation taxes and the like which are paid by the trucking industry to various governmental divisions.

Statement 39 on page S-86 of the statistics of railways in the United States for the year ending 1936, published by the Interstate Commerce Commission, indicates that the railroads in Pennsylvania pay an average of \$1,281 per mile of road owned; in Ohio they paid \$1,490; in New York \$3,486; in Maryland \$2,012; and in New Jersey \$9,644.

Mr. Thomas H. McDonald, Chief of the Bureau of Public Roads, United States Department of Agriculture, in testifying before the Interstate Commerce Commission in Docket No. 23400, said "so we have a certain minimum thickness of road that is necessary to build if there were nothing heavier than ordinary passenger cars and farm trucks to use the road, and the whole question of heavier buses and heavier trucks, therefore, begins with a certain minimum thickness of road which is necessary regardless of whether they existed or not."

The Interstate Commerce Commission regulates the transportation of commodities for hire by motor vehicle between the several states. Practically every state in the Union has some form of commission regulation of intrastate transportation of commodities by motor vehicle for hire.

In Pennsylvania the transportation of commodities for hire by motor vehicles has been under regulation since 1914.

In practically no case to our knowledge does any state commission or the Interstate Commerce Commission govern the wages paid to employes of either truck transportation companies or the railroads.

The Interstate Commerce Commission has recently issued an order governing the hours of service of truck drivers engaged in interstate commerce. In Pennsylvania the Public Utility Commission is contemplating a similar order.

Statement No. 16A on page S-35 of the Statistics of Railway in the United States for the year ending December 31, 1936, issued by the Interstate Commerce Commission, indicates that the total number of employes for all classes of railways in the United States, including switching, terminal and miscellaneous employes numbered 1,128,532.

The same year considering the total truck registration figure compiled by the Bureau of Public Roads, United States Department of Agriculture, considering one employe for each truck, exclusive of trucks on farms, develops an approximate figure of 3,109,308 employes in the trucking industry. This does not take into consideration helpers on trucks, dispatchers, platform men, office employes, mechanics and miscellaneous employes.

From statistics compiled by the Automobile Manufacturers Association, we learn that there are 48,492 communities in the United States served exclusively by motor trucks. From the same source we learn that 3,835 communities in Pennsylvania depend solely upon truck transportation for service.

Mr. Paul G. Hoffman, President of the Automotive Safety Foundation and of the Studebaker Corporation, is authority for the statement relative to trucks and bus drivers of America, stating that they are "first gentlemen of the road." Doctor Miller McClintock of the Yale Uni-

versity Traffic School, states "truck drivers are the gentlemen of the highway."

Fred W. Sargent, President of the Chicago & Northwestern Railways, in one of ten-point suggestions to the Senate Railway Investigating Committee to approve conditions of the railroads, stated "the Motor Carrier Act should be amended so as to enable the railroads to engage in truck activities without the restrictions imposed by the Barker Case."

"The rails cannot go into the motor vehicle business as they thought they could when the Act was passed by Congress. This is because of the restrictions placed upon them to serving only their own points on their own line and at rail rates. If the Act were enlarged they could supplant rail lines with profitable truck and bus service when they cannot do at present."

I feel, Mr. Speaker, that this measure in no way will do the injury that Mr. Hoiland points out. I feel confident that unless the Commonwealth of Pennsylvania grants the same right as it granted by the surrounding states, the Commonwealth will lose in many respects. If a motor truck carrying a Pennsylvania license goes into the state of Delaware or Maryland and attempts to get the maximum weight allowed in those states it must get a permit and the driver will find it is not allowed. Those states allow Pennsylvania trucks to haul a load only equivalent to the load allowed in this particular state. Many trucks carrying loads from New York traverse the roads of New Jersey, which incidentally are no better than the roads of Pennsylvania, and there is no definite report indicating that the New Jersey roads have been ruined by the immense loads that have been carried there under the Trucking Act of the State of New Jersey. I feel sure that similar conditions would be revealed in the study of neighboring states.

I say, Mr. Speaker, and members of the House, that we are living in a different age, and the general and supplemental acts contained in the laws of Pennsylvania governing this matter do not meet the present conditions. Let us pass this bill so that the trucking industry in the various communities of our Commonwealth may enjoy all of the blessings of a real sound, conscientious trucking industry, one that is the pride of these United States. I ask you to vote for House Bill 690.

Mr. BENTZEL. Mr. Speaker, I want to talk to you this afternoon about Bill 690 and start out by saying that this bill has not been amended for eighteen years. The trucking industry has grown in that time, and I submit to you that there has probably been no expansion as great as that of the trucking industry made by any organization or industry of our Commonwealth.

The existing Pennsylvania truck weight law became effective in 1923 and has not been materially changed since.

In 1923 many trucks were still equipped with solid rubber tires which caused relatively high "impact" loads on the highways.

Since 1923 the solid tire has become practically obsolete. High pressure pneumatics have come into use and are rapidly passing from use in favor of the modern highly developed low pressure balloon tire, which has tremendously decreased "impact" loads on highways and has resulted in "spreading" of the vehicle load over greater

areas of highway and reducing the unit load on the highway.

Since 1923 the quality of cement has increased. The quality of concrete has increased. The design of concrete pavements has improved. Concrete roads are now structurally stronger and more durable than those prevalent in 1923.

The design of commercial motor vehicles has been greatly improved since 1923. The loads which they carry are distributed more efficiently over the axles of the equipment.

The load carrying ability of roads has increased. The design of trucks has been improved. Tire equipment has been radically improved, but none of these factors have been reflected in changes in the Pennsylvania law since 1923. Bear in mind, no change in the law for the past eighteen years.

An examination of the table entitled "Legal Maximum Truck Weights" reveals Pennsylvania's relative position as compared with other states.

There has been an effort by a Joint Legislative Committee on Interstate Cooperation in Ten Northeastern States, beginning with Pennsylvania and Delaware on the south and continuing northward through the New England States group to secure uniformity of commercial motor vehicle requirements in those states. The committee studying this subject released a suggested standard table entitled "Weights and Dimensions—Ten Northeastern States." This table shows the existing requirements in the various states.

Since releasing its report, the Committee has withdrawn its approval of the 50 foot suggested length for combinations, and the so-called "bridge formula" for establishing maximum gross weights of combinations of vehicles. Without a suggested standard for the latter group of vehicles, uniformity is still not obtained.

It is pointed out that another outstanding disadvantage of the Ten State Proposal affecting Pennsylvania and Delaware is that uniformity does not extend to states west or south of our great Commonwealth.

Pennsylvania prides itself on its liberality in extending "reciprocity" to other states. Pennsylvania does make liberal license plate reciprocity agreements with other states, granting concessions similar to those granted by such states.

The true spirit of reciprocity is violated since it does not extend to recognizing the size and weight limitations of other states. True reciprocity in this respect would consist of attempting to approach uniformity with other states in sizes and weights.

Competition. The carrying capacity of trucks in Pennsylvania, New York and New Jersey are ample evidence that Pennsylvania carriers are at a competitive disadvantage with those of other states.

The effect of restricted carrying capacity on transportation costs relatively increases the cost of doing business in Pennsylvania for manufacturers and increases selling prices of distributors.

Trade Barriers. Trucks from New York and New Jersey, carrying legal loads in those states, can not enter or cross Pennsylvania when destined for points within the state or points to the west of Pennsylvania. This constitutes a trade barrier.

Trucks from many states west of Pennsylvania, destined for points within the State or points on the Atlantic Seaboard cannot operate through Pennsylvania legally when carrying loads legal in the state of origin, but in excess of those permitted in Pennsylvania, a trade barrier.

Such trade barriers have been denounced by the special Inter-Departmental Committee of the U. S. Department of Commerce and their elimination has been suggested.

The Pennsylvania Turnpike Commission, created by the Pennsylvania Legislature spent approximately seventy million in the construction of a so-called super highway between Harrisburg and Pittsburgh. The road is a military highway reported capable of carrying modern loads. However, the present Pennsylvania law prevents vehicles of this gross weight from legally reaching or leaving the Turnpike.

Trucks with gross weights legal in New York and New Jersey cannot reach the Pennsylvania Turnpike, nor could they leave it under the present restrictions of our Motor Vehicle Code carrying loads legal in New York and New Jersey.

Potential economic service of the Turnpike is curtailed by depressed gross weights in Pennsylvania.

What is the true military value of the Pennsylvania Turnpike in which seventy million has been invested if Pennsylvania Law prohibits the use of roads leading to and from the Turnpike by vehicles which the road is capable of carrying?

A recent news report stated "Surveys completed by the Highway Planning Division of the Highway Department show approximately 80% of all vehicular traffic using about one-third of the roads in the state system. This figure was tabulated from studies made in all counties except Philadelphia."

It follows that 20 percent of the traffic is using the remaining two-thirds of the highway system. It is a reasonably safe assumption that the one-third of the highway system used by the major portion of the traffic is the primary highway system of the State capable of supporting modern truck traffic. The major need for the transportation of heavy loads is between population centers which are served by primary highways.

Where a new industry creates the need for transportation of heavy loads over secondary roads, we must determine whether industry must conform to limitations established by roads or whether roads will meet the requirements of the Industry. Facts in this particular case should permit the solution of specific problems.

Highway Damage. If the expressed fear that liberalizing gross weights of commercial motor vehicles in Pennsylvania will damage our highways is true, what accounts for the durability of highways in New York State where fifty-eight thousand pounds is permitted and in New Jersey where sixty thousand pounds is permitted on a tractor and semi-trailer, as compared with fifty thousand pounds being proposed for this combination of vehicles in Pennsylvania.

The so-called "axle load" of a truck is looked upon as a controlling factor in highway wear. New York State permits twenty-two thousand four hundred pounds. New Jersey has no restriction. Therefore, it would appear that adopting the New York limitation of twenty-two thousand four hundred pounds in Pennsylvania would not seriously endanger our highways since no great difference in dura-

bility in New York, New Jersey and Pennsylvania roads seems to exist.

Many highway engineers are agreed that the true enemies of highway durability are sudden temperature changes and the action of the elements particularly alternate freezing and thawing.

Highways built to carry private passenger automobiles only are being constructed just as thick as highways carrying heavy vehicles. The West Chester County (N. Y.) Parkways are designed for private passenger automobiles only and restricted to that class of vehicles. After fifteen years' experience, during which several different types of pavements have been tried out, those sections more recently constructed are built of eight inches of concrete with double reinforcement. The Chief Engineer of the West Chester County Parkway Commission, commenting on this states: "Nowadays we find that the cost of a first-class eight inch reinforced concrete pavement is so reasonable that we can scarcely afford to gamble on the higher maintenance required for cheaper types."

It has been argued that increasing the gross weights of trucks in Pennsylvania would result in increased maintenance cost of our highways. Statistics of the Highway Department reveal that approximately 35 percent of the total cost per mile of maintaining state highways on the primary system and 48 percent of the total cost per mile of maintaining highways on the rural system are spent on the base and surface. The balance of these costs, namely 65 percent and 52 percent respectively, are spent on shoulders, gutters, embankments, signs, traffic lines, markers and other highway accessories having no direct relationship to the nature of the traffic or the weight of the vehicles using such highways. It appears therefore, that even if an increased maintenance cost would result, which is doubtful, its proportions would not be of a character suggested by some of those opposed to modernizing Pennsylvania's highway transportation system.

Defense. Pennsylvania has been characterized as the arsenal of the United States. Modern warfare is warfare of "motion", whether it be the movement of armies, or whether it is the movement of industrial products, armament, and so forth. If we in Pennsylvania are sincere in our defense efforts, we cannot and will not fail to modernize our highway transportation system by placing it at least on a par with what has proved practical in New York and in New Jersey.

The advantages in modernizing the Pennsylvania commercial motor vehicle gross weight limitations are numerous. Modernization now would be timely and in the interests of national defense. It would place Pennsylvania motor carriers and Pennsylvania industry on a basis of equality with those in surrounding states. It would give Pennsylvania the opportunity of increasing its revenue from commercial motor vehicles and from correcting the entirely undesirable condition of penalizing safe vehicles and encouraging those that might be classified as unsafe. It would permit the citizens of the Commonwealth of Pennsylvania to share in the true economic advantages of the highway system which has been created in this state since the advent of the motor vehicle. It would stamp Pennsylvania Legislators as recognizing at long last, the fact that they are aware of progress and recognize the necessity for changing our laws to meet changing conditions.

Poor highway foundations and weather conditions have been the major cause of highway damage in the opinion

of Commissioner Thomas H. MacDonald, U. S. Public Roads Administration, the nation's foremost highway engineer. He recounts, "One of the complaints is that the roads are being ruined by the operation of heavy trucks or heavy buses over them. To illustrate the approach of the highway engineer to that problem—after studying his road, he decided that the trouble did not lie in deterioration in the road surfaces themselves but in the foundation under the road; so, perhaps twelve to fifteen years ago, the highway engineer started the study of soils as foundations.

"After all, the road is nothing but a thin ribbon laid over the supporting ground. Regardless of what material is on top, it cannot support the load except as the foundation underneath gives support to that thin ribbon on top. Over a period of ten or twelve years now, a control has been established over soil, so that it is definitely possible to say today that these soils can be controlled in such a way that thin surfaces can be built to carry the loads—heavy loads—if properly distributed on the axles and under pneumatic tires, with very little deterioration". This statement was made in an address before American Association of State Highway Officials, New York City, October 14, 1939.

Commissioner MacDonald has also stated, in referring to present-day highways, "If we built thinner surfaces they would curl up like tissue paper in the rays of the sun. They would warp; the frost heave would destroy them... The whole question of heavier buses and heavier trucks therefore, begins with a certain minimum thickness of road which is necessary regardless of whether the trucks exist or not."

The "encircling movement" continues. Pennsylvania is now confronted with the following axle load limit in bordering states:—New York 22,400 pounds, New Jersey no restriction, Maryland 22,400 pounds, West Virginia 22,000 pounds, Delaware 22,000 pounds (proposed).

I would most respectfully ask your consideration to this bill and ask for its passage. I thank you.

Mr. REUBEN E. COHEN. Mr. Speaker, I believe from the engineering viewpoint and from the city officials viewpoint, the subject matters contained in House Bill 690 has been adequately and properly debated. I am not a city official and I am not a city engineer, but I am a lawmaker and I am interested in passing legislation which is far-reaching and comprehensive enough to look forward some years from the time we in this house pass on such bills. Therefore, I can see in this bill as advanced here a static condition to which I think we should pay great heed.

Reference was made by one of the former speakers to many years ago when the railroads were fighting river traffic. I suppose they wanted it because public opinion was behind a faster and a more economical system of transportation. The rivers had but one course they could follow and they could only properly serve the communities upon the course of those rivers. When the railroads came along they showed they could get away from the course of those rivers and dig deeper into the vast domain of this nation, and in that way help build up the nation to the point where it is now.

We now come to the argument that has been proposed between the trucks and the railroads. We find that the trucking industry is in the same position the railroads were in relation to the rivers, in that the trucks can go to points that the railroads now cannot serve and go be-

yond and deeper into the recesses of the rural districts of Pennsylvania, the rural districts of the nation, if you will, to better serve and more economically serve the users of commodities and the manufacturers of goods. Statistics have shown that there are thousands of small manufacturers throughout the nation which have become a greater part, a closer part of this nation than the railroads have been able to afford in the way of service in transportation of persons and commodities.

We have another problem to look at. The statement has been made that this proposed legislation might cut down the number of employes in the system. May I point out to the Members of the House, that upon inquiry I determined that the State Federation of Labor, which has approximately seventy-thousand members engaged in this particular business, has wholeheartedly given its support to this bill. It seems to me that the State Federation of Labor would have hesitated to give its whole-hearted support to this bill if it had the effect of putting men out of employment. I feel if the trucking industry is permitted to grow there will be more employment because of a greater number of trucks used in the state of Pennsylvania.

May I call attention, Mr. Speaker and Members of the House, to our Department of Commerce that has been talked about so much and which has spent a great deal of it's money in attracting the tourist trade into Pennsylvania. The tourists is the fellow who drives his car over the state and goes through it in one day, whereas the driver of the truck goes through day after day. I think we ought to encourage the tourist truck drivers and in that way we might have more tourist business which seems to be so important and so attractive to the Department of Commerce.

May I say further, Mr. Speaker, that only last night I was informed that the Assembly of the State of Maryland raised its truck limit to fifty thousand pounds which makes it nine out of ten states in this northeastern part of the United States with a limit of fifty thousand pounds.

We, of Pennsylvania, are still back where we were in 1923 when every community surrounding this state had up to fifty thousand pounds. Let me say further, if fifty thousand pounds is good enough for the roads in the State of New York and the State of New Jersey, and I am sure that the roads of Pennsylvania would measure up to them, if no damage has been caused the highways in New York and New Jersey, I cannot see how any damage can arise to the roads in Pennsylvania, because after all eighty percent of the traffic in Pennsylvania travels only over twenty percent of the highways. Our primary road system is twenty percent of the State Highways. A good transportation system looks for the shortest route to go from one point to another, it does not go by any devious route; it doesn't go by any back roads, and I think the majority of the roads in Pennsylvania will be safe from any possible damage because our permanent system of roads in Pennsylvania is a good system, and such a permanent system certainly can stand the rolling of trucks on roads in this state which are comparable to the roads in other states. I think the matter has been put rather plainly from all sides and I can see no reason why we of this House today, looking forward to the necessities of the state and nation in the future, can con-

scientifically support this bill.

May I call one other matter to your attention? The Governor of the Commonwealth in his address to this House at the beginning of this session made mention of the fact that the President of the United States had called Pennsylvania the great arsenal of democracy, while the Governor of Pennsylvania called Pennsylvania the great arsenal of America. Quoting from rather authoritative statistics only very recently concerning the loss of shipping world, we find worry by many officials of high places that this shipping might not last. They then worry about American shipping which totals about four and a half million tons, half of which is coastwise shipping may eventually, God willing it may not happen, but may eventually be used in some phase of that struggle. None of us here look for it nor want it. But if such a thing should happen the railroads of America would be hopelessly and positively unable to carry the load of the national defense of America. I think we ought to look forward to the time when such an eventuality may arise because in so doing we would prepare ourselves for that eventuality, that we may have to have a system prepared to take the load without having to quickly call a special session of the Legislature to do a patch work job.

Mr. Speaker and members of the House, I solicit your support for House Bill 690.

Mr. FISS. Mr. Speaker, I assure you I am going to be brief. I do not want to take up much more of the time of this House. It is like the fellow who said he didn't care how much a fellow talked if he could only say it in a few words. I am going to try to say this in a few words.

After all, let us get back on our feet and try to find out the intent and purpose of this bill. In the first place this bill reduces the license fee for the "R" and "S" licenses. In the second place it gradually increases the license fee and the weight of the larger trucks. It attempts to establish uniform gross weight regulations governing interstate trucks in the state of Pennsylvania. This, after all, was the intent and purpose of this bill. I know that every one of you have read the bill and you are acquainted with the figures that it contains and it is not necessary to go into any lengthy argument or to produce any statistics as to what it might do. If I felt for one minute that it would do any road or any bridge of the Commonwealth of Pennsylvania any injury certainly I would not want to vote for this bill. Let me say just a little bit more about the gross weight and the intent to make a uniform law in regard to the gross weight. Pennsylvania has many things that we like to describe as "first". We like to talk about it. We say we are a great empire, a great industrial empire. Yet if we bound our state, the state of Pennsylvania, north, east, south and west, to the north we have a higher rate up to 60; to the east we have a higher rate, even 60; down towards the south and southeast, Delaware, we have 40; immediately to the south in Maryland we have 42; bounding our state, in a little corner, lies the State of West Virginia with 66; while in Ohio to the west 42,000 pounds is permitted. Pennsylvania lies in the center of all our neighboring states, and it has a lower weight permitted on the highways. It seems to me, Mr. Speaker and members of the House, if we are going to remain as the "first", if we look back over the economic value or even the historical tradition of Pennsylvania, we certainly

cannot come to the belief that we in Pennsylvania cannot afford to set up any such barrier to restrain trade, to encumber and injure interstate trucking or a great transportation system. This bill may not be perfect in that regard but it is a great step forward.

Let me close by just saying this, that a very few of the other speakers mentioned anything about the reduction on the "R" and "S" licenses. Many of the older Members of this House of course realize that this question has been a great question before this House for a number of years. Just let me go over a group of people that the reduction of this "R" and "S" license affects. Let us go over the list briefly to see whom it affects. The farmer usually has one or two or more of these trucks, the milkman, the electrician, the plumber, the small business man, the large business man, the butcher, the baker, the florist, the mortician, the lumber man, the druggist, the builder and contractor, an almost endless list, who have been discriminated against when the "R" and "S" licenses were granted to these people. Those are the things this bill tries to accomplish. This is the intent and purpose of this measure.

I say to you, Members of the House, it is not the intent or purpose to injure anyone. I know, and so do you, that many times the proponents of a measure will go far because they have a selfish interest; many times the opponents will go far because they have a selfish interest, but, Members of the House, this is larger than any one single district, than any one single industry, in the Commonwealth of Pennsylvania, because it regulates and attempts to regulate and make uniform the entire transportation system in this as well as other Commonwealths in this country.

I ask you to vote "yes" on 690.

Mr. BENTLEY. Mr. Speaker, I rise in opposition to this bill. My remarks will be very brief and right to the point. The gentlemen who have preceded me have spoken of this bill as being a matter of principle. My opposition is an opposition to methods. I should have liked to have been able to vote for this bill on principle but I am unable to do so. I find on the one hand it is stated that labor is for the bill, and on the other hand it is against it. It is stated on one side of the ledger that the revenue will be increased from the truck licenses; again it is stated it will be reduced. It is said that our streets will be shattered, and again it is said that they are ample to take care of the load. Those questions should have been answered fully and adequately before the members of this House can vote intelligently on this bill. An opportunity was afforded last night when a motion to recommit for a public hearing was made and refused. So, we do not have a full and adequate understanding of this bill.

Mr. Speaker, I detect a familiar parallel in the method by which this bill is being shoved through the House. There is the same unseemly haste, the same pell mell rush that we saw in House Bill 481, the Moul-Woodring Bill, getting it through the House and saying if it was necessary to have a hearing, they would have it later. It is in opposition, Mr. Speaker, to that method of jamming things through this House without adequate information, because this measure calls for a full understanding by everyone of us before we vote on this. It is in opposition to that type of legislation, in its passage, that I am going to vote "no".

I dare say there is no one in this House who has not regretted the great whirl wind that has been reaped following the passage of 481. We want no more of that and I call on you, members of the House, who felt that that bill was passed with undue haste, to protest against a similar refusal of a public hearing on this bill.

Mr. REUBEN E. COHEN. Mr. Speaker, last night I stood on this floor and oposed the recommitting of this bill for a public hearing or for any other purpose, and I stated my reasons, but to-day we were just told a moment ago that we are jamming it through the House. It seems to me there is no wild fire about this bill, there is no cyclone, there is no hurricane. This bill has been wafted about through this House for fourteen calendar days. It was rather like a gentle zephyr and no one said anything against it until yesterday, the last day of the calendar. If there had been any necessity for a public hearing or there had been a request for a public hearing it might have been made on time. There was no sudden bomb. It is no cyclone, it was merely a bomb of opposition and I think, members of the House, this being the only piece of legislation that was on the calendar for fourteen full calendar days in this session before it came off the second reading calendar, we cannot be accused of jamming through the House this particular bill.

Mr. BENTLEY. Mr. Speaker and members of the House, may I remind the gentleman from Philadelphia that it was just such a gentle zephyr that which occurred with reference to the Moul-Woodring Bill that blew into hurricane proportions and is still blowing.

Mr. HOLLAND. Mr. Speaker, on March 18th two weeks ago, a request was made in writing for a public hearing on this bill. I might also add that this bill did not come out of committee until the Motor Truck Association had a twenty-five thousand dollar sprcad at a certain hall in this city of Harrisburg.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Messrs. Moran, Holland and Harmuth asked for a verification of the roll.

The roll was verified and was as follows:

YEAS—144

| | | | |
|-----------------|---------------|--------------|------------------|
| Achterman, | Foor, | Malloy, | Sarraf, |
| Allmond, | French, | Marks, | Scanlon, |
| Baker, | Gallagher, | McClanaghan, | Schwab, |
| Balthaser, | Gerard, | McClester, | Serrill, |
| Baughner, | Gillette, | McDermott, | Shaw, |
| Bentzel, | Greenwood, | McGrath, | Simons, |
| Boorse, | Gross, | McIntosh, | Snyder, |
| Bower, | Gyger, | McKinney, | Sollenberger, |
| Bradley, | Habbyshaw, | McMillen, | Stambaugh, |
| Bretherick, | Haberlen, | McSurdy, | Stank, |
| Brown, | Haines, | Melchiorre, | Stine, |
| Brunner, C. H., | Hall, | Milhm, | Stockham, |
| Burns, | Hare, | Modell, | Tarr, |
| Chervenak, | Harris, | Monks, | Tate, |
| Chudoff, | Helm, | Mooney, | Thompson, E. F., |
| Cochran, | Hering, | Moul, | Trout, |
| Cohen, M. M., | Herman, | Muir, | Turner, |
| Cohen, R. E., | Hersch, | O'Brien, | Van Allsburg, |
| Cook, | Hewitt, | O'Dare, | Verona, |
| Corrigan, | Hirsch, | O'Mullen, | Vincent, |
| Croop, | Imbrie, | O'Neill, | Voldow, |
| Cullen, | James, | Owens, | Wagner, |
| Dairymples, | Jefferson, | Petrosky, | Watkins, |
| Dennison, | Jones, G. E., | Pettit, | Weingartner, |
| DiGenova, | Kenehan, | Polaski, | Weiss, |
| D'Ortona, | Knoble, | Powers, | Weish, E. B., |

| | | | |
|--------------|----------------|---------------|--------------|
| Duffy, | Kolankiewicz, | Prosen, | Wilkinson, |
| Elliott, | Komorofski, | Rank, | Williams, |
| Ely, | Krise, | Readinger, | Winner, |
| Falkenstein, | Lee, T. H., | Reese, R. E., | Wood, L. H., |
| Finestone, | Leonard, | Reynolds, | Wood, N., |
| Finnerty, | Lesko, | Rooney, | Woodside, |
| Fisher, | Levy, | Rose, S., | Yeakel, |
| Fiss, | Lichtenwaller, | Rosenfeld, | Young, |
| Fletcher, | Lovett, | Royer, | Kilroy, |
| Flynn, | Lyons, | Rush, | Speaker. |

NAYS—57

| | | | |
|-----------------|----------------|---------------|------------------|
| Auker, | Fleming, | Longo, | Rhea, |
| Bentley, | Gates, | Maxwell, | Riley, |
| Boies, | Goodwin, | McDowell, | Rose, W. E., |
| Boney, | Gryskewicz, | McFall, | Sarge, |
| Breth, | Hamilton, | McLanahan, | Shaffer, |
| Brunner, P. A., | Harkins, | McLane, | Sorg, |
| Burriss, | Harmuth, | Moran, | Taylor, |
| Cadwalader, | Heatherington, | Munley, | Thompson, R. L., |
| Cooper, | Holland, | Nagel, | Vogt, |
| Cordier, | Huntley, | Nunemacher, | Voorhees, |
| Dix, | Keenan, | O'Connor, | Welsh, M. J., |
| Dolon, | Kline, | Polen, | Wolf, |
| Early, | Lee, E. A., | Reagan, | Woodring, |
| Eckels, | Leisey, | Reese, D. P., | Yester, |
| Elder, | Levitic | | |

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.

REASONS FOR VOTE

Mr. WOODRING filed the following reasons for his vote:

I am constrained to oppose the subject Bill on the principal ground that the streets and roads of the secondary system of highways are not presently adequate to receive the travel and tonnage proposed by the increased maximum weights. Many 3d class city streets are not of sufficient durable construction to handle the increased loads. However, the cities have the power to enact ordinances whereby traffic can be routed over the more desirable streets. The cities by this corporate power, to some degree, can protect themselves against the larger truck loads. The boroughs and townships have no such authority. They must permit all vehicles to travel over all of their streets and roads. These are not of sufficient width nor strength to accommodate the increased weights. Not only that, but the countless hand-holes, man-holes, culverts and bridges are grossly inadequate to safely bear the load. The State Highway Department, by its Secretary, has announced that more than 3800 bridges on the secondary roads are not strong enough to safely receive the traffic.

Industry, I favor. Commerce, I favor. Increased maximum weights, as such, I favor. Until such time as Pennsylvania prepares, not only primary highways, but its secondary roads and streets, with their hand-holes, man-holes, culverts and bridges, I must oppose the subject Bill and, therefore, vote against it.

WOMAN'S REPUBLICAN CLUB WELCOMED

The SPEAKER. The Chair welcomes to the House the Woman's Republican Club of Camp Hill, Cumberland County. The House is indeed pleased to have them as its guests.

PERMISSION TO ADDRESS HOUSE

Mr. SARGE asked and obtained unanimous consent to address the House.

Mr. SARGE. Herr Schwetzer, Ich date glicka unanimous recht tsu hava for swetza su de fasumling fun du House. Ance fun de Democrata hut de wadt hell gaused und doo hust socket, aar set de wadt hell net usa. Whas Ich wissa will is, we wide con mer ga. Con mer de wadt darn usa?

INTERROGATION

Mr. REUBEN E. COHEN. Signor Speaker, desidiro interogarre il Signor Sarge, di Lebanon, Pennsylvania.

The SPEAKER. Will the gentleman from Lebanon, Mr. Sarge, permit himself to be interrogated?

Mr. SARGE. Ya, Herr Schwetzer.

Mr. REUBEN E. COHEN. Signor Speaker, desidiro sapere che cosa ha detto il Signor Sarge, di Lebanon, Pennsylvania?

The SPEAKER. The gentleman recognizes the gentleman from Lancaster, Mr. Royer.

Mr. ROYER. Herr Schwetzer, de iss der airst tag von Avril. Der mon von Lebanon County, der Sarge, vill epas sawa weaga unsu Schwetzer, der Kilroy.

The SPEAKER. The Chair has great difficulty in understanding the Members.

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

Mr. TROUT. Mr. Speaker, I recognize the difficulty in which the Speaker finds himself, and I feel as though - -

The SPEAKER. Will the gentleman act as interpreter for the gentleman from Lancaster and the gentleman from Lebanon?

Mr. TROUT. Mr. Speaker, after an explanation and an apology.

Mr. TURNER. Mr. Speaker, - -

The SPEAKER. The gentleman from Delaware is out of order.

The gentleman from Lancaster will proceed.

POINT OF ORDER

Mr. TROUT. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Lancaster will state his point of order.

Mr. TROUT. Mr. Speaker, upon what ground does the gentleman from Delaware interfere with my business?

The SPEAKER. The gentleman is the official interpreter.

Mr. TROUT. Mr. Speaker, I have the floor and I propose to hold it.

The SPEAKER. The gentleman from Lancaster, Mr. Trout, has the floor and he refuses to yield it. The gentleman will proceed.

Mr. TROUT. Mr. Speaker, under the Constitution of Pennsylvania I occupy an official position as interpreter for two members of this House.

Mr. Speaker and members of the House, the gentleman from Lebanon asked permission to address the House. My friend, the gentleman from Lancaster, in an effort to explain what he wanted apparently was not thoroughly understood. I recognize the fact, Mr. Speaker, that this is the first day of April, and after listening to a great deal of oratory on very important legislation, I take it that you should grant the gentleman from Lebanon an opportunity to address this House in his native tongue.

PERMISSION TO ADDRESS THE HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I would like to say that the gentleman is not living up to the rules, and I would like to know how in the hell the stenographer is getting it down.

Mr. BRETH. Mr. Speaker, I arise to a point of something or other, which I cannot describe, but inasmuch as a few of my remarks were stricken from the record, I move that these remarks be stricken out, the part which sounded like "hell, hell, hell,"

Mr. REUBEN E. COHEN. Mr. Speaker - -

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

POINT OF ORDER

Mr. LEVY. Mr. Speaker, I arise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. LEVY. Mr. Speaker, I resent the implication.

The SPEAKER. I do not blame you.

Mr. REUBEN E. COHEN. Mr. Speaker, - - -

The SPEAKER. The Chair is in trouble again.

Mr. SARGE. Herr Schwetzer, ich vill der mon an question froga.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Cohen, permit himself to be interrogated?

Mr. REUBEN E. COHEN. I shall, Mr. Speaker.

Mr. SARGE. Herr Schwetzer, ich hob nicht fersta wass da Cohen gasacht hud.

Mr. REUBEN E. COHEN. Mr. Speaker, I can imagine it, speaking in Jewish.

Mr. SARGE. Mr. Speaker, in order to wind up this rather complicated affair I would like to tell the gentleman I do not understand Latin.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 665, as follows:

An Act prescribing presumptions of authority and rules of evidence where payments are made on account of the principal of mortgages in certain cases

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Hereafter any person firm or corporation duly authorized to accept or receive any payment of interest on account of any mortgage shall be presumed to have authority to accept or receive any payment on account of the principal of said mortgage unless such person firm or corporation has in fact no such authority and the person making such payment on account of the principal has knowledge of such lack of authority

Section 2 In any proceeding involving any payment of principal on account of a mortgage the burden of proving lack of authority in the person firm or corporation accepting or receiving such payment and the burden of proving knowledge by the person making such payment of the lack of such authority shall be on the party asserting the lack of authority

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

| | | | |
|-----------------|----------------|---------------|------------------|
| Achterman, | Fletcher, | Lovett, | Rosenfeld, |
| Allmond, | Flynn, | Lyons, | Royer, |
| Auker, | Foor, | Malloy, | Rush, |
| Baker, | French, | Marks, | Sarge, |
| Balthaser, | Gallagher, | Maxwell, | Sarraf, |
| Baughner, | Gates, | McClanaghan, | Scanlon, |
| Bentley, | Gerard, | McClester, | Schwab, |
| Bentzel, | Gillette, | McDermott, | Serrill, |
| Boies, | Goodwin, | McDowell, | Shaffer, |
| Boney, | Greenwood, | McFall, | Shaw, |
| Boorse, | Gross, | McGrath, | Simons, |
| Bower, | Gryskewicz, | McIntosh, | Snyder, |
| Bradley, | Gyger, | McKinney, | Sollenberger, |
| Breth, | Habbyshaw, | McLanahan, | Sorg, |
| Bretherick, | Haberlen, | McLane, | Stambaugh, |
| Brown, | Haines, | McMillen, | Stank, |
| Brunner, C. H., | Hall, | McSurdy, | Stine, |
| Brunner, P. A., | Hamilton, | Melchiorre, | Stockham, |
| Burns, | Hare, | Mihm, | Tarr, |
| Burriss, | Harkins, | Modell, | Tate, |
| Cadwalader, | Harmuth, | Monks, | Taylor, |
| Chervenak, | Harris, | Mooney, | Thompson, E. F., |
| Chudoff, | Heatherington, | Moran, | Thompson, R. L., |
| Cochran, | Helm, | Moul, | Trout, |
| Cohen, M. M., | Hering, | Muir, | Turner, |
| Cohen, R. E., | Herman, | Munley, | Van Allsburg, |
| Cook, | Hersch, | Nagel, | Verona, |
| Cooper, | Hewitt, | Nunemacher, | Vincent, |
| Cordier, | Hirsch, | O'Brien, | Vogt, |
| Corrigan, | Holland, | O'Connor, | Voldow, |
| Croop, | Huntley, | O'Dare, | Voorhees, |
| Cullen, | Imbrie, | O'Mullen, | Wagner, |
| Dalrymple, | James, | O'Neill, | Watkins, |
| Dennison, | Jefferson, | Owens, | Weingartner, |
| DiGenova, | Jones, G. E., | Petrosky, | Weiss, |
| Dix, | Keenan, | Pettit, | Welsh, E. B., |
| Dolon, | Kenehan, | Polaski, | Welsh, M. J., |
| D'Ortona, | Kline, | Polen, | Wilkinson, |
| Duffy, | Knoble, | Powers, | Williams, |
| Early, | Kolankiewicz, | Prosen, | Winner, |
| Eckels, | Komorowski, | Rank, | Wolf, |
| Elder, | Krise, | Readinger, | Wood, L. H., |
| Elliott, | Lee, E. A., | Reagan, | Wood, N., |
| Ely, | Lee, T. H., | Reese, D. P., | Woodring, |
| Falkenstein, | Leisey, | Reese, R. E., | Woodside, |
| Finestone, | Leonard, | Reynolds, | Yeaker, |
| Finnerty, | Lesko, | Rhea, | Yester, |
| Fisher, | Levy, | Riley, | Young, |
| Fiss, | Leydie, | Rooney, | Kilroy, |
| Fleming, | Lichtenwalter, | Rose, S., | Speaker. |
| | Longo, | Rose, W. E., | |

NAYS—0

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

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

Agreeably to order.

The House proceeded to the third reading and consideration of House Bill No. 919, as follows:

An Act to amend subsections two five and six of section seven hundred and twenty-four of the act approved the third day of June one thousand nine hundred and thirty-seven (Pamphlet Laws 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" by eliminating the killing of elk or bear destroying property.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Subsections two five and six of section seven hundred and twenty-four of the act approved the third day of June one thousand nine hundred and thirty-seven (Pamphlet Laws 1225) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" are hereby amended to read as follows

* * * * *
Section 724 Killing Game Destroying Property

(2) Any [elk] deer [or bear] may be legally killed only through the use of a firearm which discharges a single ball or bullet not smaller than a twenty-five calibre under the foregoing provisions provided a report is made as hereinafter required and other conditions stipulated are complied with land]

(5) The person killing any such animal or bird except woodchucks and red squirrels and the birds commonly known as blackbirds shall within twelve (12) hours after killing either orally or in writing report such killing to the nearest game protector or the office of the commission at Harrisburg setting forth the date and time of killing the species killed and in the case of [elk or] deer [or bear] the sex thereof and shall except in the case of red squirrels or the birds commonly known as blackbirds immediately after killing remove the entrails and transfer the carcass to a place of safekeeping to be turned over to any game protector upon demand except as hereinafter specified

(6) One [elk or] deer [or bear] so killed and reported in accordance with the foregoing provisions may be retained for food provided all portions of the carcass generally considered edible shall be consumed only within the household of a person residing upon such lands and having a legal right to kill the same No additional animals shall be retained for food until the entire carcass of the animal previously retained has been entirely consumed under the foregoing provisions Any additional [elk or] deer [or bear] legally killed under the provisions of this section so long as there is any unconsumed or edible portion of [an elk or] a deer [or a bear] retained within the household of any person legally entitled to possess the same under the provisions of this section shall be turned over to a game protector as hereinbefore specified

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

| | | | |
|-----------------|----------------|--------------|------------------|
| Achterman, | Flynn, | Lovett, | Rose, W. E., |
| Allmond, | Foor, | Malloy, | Rosenfeld, |
| Baker, | French, | Marks, | Royer, |
| Balthaser, | Gallagher, | Maxwell, | Rush, |
| Baughner, | Gates, | McClanaghan, | Sarge, |
| Bentley, | Gerard, | McClester, | Sarraf, |
| Bentzel, | Gillette, | McDermott, | Scanlon, |
| Boies, | Goodwin, | McDowell, | Schwab, |
| Boney, | Greenwood, | McFall, | Shaffer, |
| Boorse, | Gross, | McGrath, | Shaw, |
| Bower, | Gryskewicz, | McIntosh, | Simons, |
| Bradley, | Gyger, | McLanahan, | Snyder, |
| Breth, | Haberlen, | McLane, | Sorg, |
| Bretherick, | Haines, | McMillen, | Stambaugh, |
| Brown, | Hall, | McSurdy, | Stank, |
| Brunner, C. H., | Hamilton, | Hall, | Stine, |
| Brunner, P. A., | Hare, | Melchiorre, | Stockham, |
| Burns, | Harkins, | Mihm, | Tarr, |
| Burriss, | Harmuth, | Modell, | Tate, |
| Cadwalader, | Harris, | Monks, | Taylor, |
| Chervenak, | Heatherington, | Mooney, | Thompson, E. F., |
| Chudoff, | Helm, | Moran, | Thompson, R. L., |
| Cochran, | Hering, | Moul, | Trout, |
| Cohen, M. M., | Herman, | Muir, | Turner, |
| Cohen, R. E., | Hersch, | Munley, | Van Allsburg, |
| Cooper, | Hewitt, | Nagel, | Verona, |
| Cordier, | Hirsch, | Nunemacher, | Vincent, |
| Corrigan, | Holland, | O'Brien, | Vogt, |
| Croop, | Huntley, | O'Connor, | Voldow, |
| Cullen, | Imbrie, | O'Dare, | Voorhees, |
| Dalrymple, | James, | O'Mullen, | Wagner, |
| Dennison, | Jefferson, | O'Neill, | Watkins, |
| DiGenova, | Keenan, | Owens, | Weingartner, |
| Dolon, | Kenehan, | Petrosky, | Weiss, |
| D'Ortona, | Kline, | Pettit, | Welsh, E. B., |
| Duffy, | Knoble, | Polaski, | Welsh, M. J., |
| Early, | Kolankiewicz, | Polen, | Wilkinson, |
| Eckels, | Komorowski, | Powers, | Williams, |
| Elder, | Krise, | Prosen, | Winner, |
| Elliott, | Lee, E. A., | Rank, | Wolf, |
| | Lee, T. H., | Readinger, | Wood, L. H., |
| | | Reagan, | |

| | | | |
|--|---|--|---|
| Ely, Falkenstein, Finestone, Finnerty, Fisher, Fiss, Fleming, Fletcher, | Leisey, Leonard, Lesko, Levy, Leydic, Lichtenwalter, Longo, | Reese, D. P., Reese, R. E., Reynolds, Rhea, Riley, Rooney, Rose, S., | Woodring, Woodside, Yeakel, Yester, Young, Kilroy, Speaker. |
|--|---|--|---|

NAYS—9

| | | | |
|------------------------------|-------------------------|-----------------------|----------------------------|
| Auker, Dix, Habbyshaw, | Jones, G. E., Lyons, | McKinney, Serrill, | Sollenberger, Wood, N., |
|------------------------------|-------------------------|-----------------------|----------------------------|

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.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 325, as follows:

An Act authorizing boards of school directors to permit the use of vehicles used for transportation of pupils for educational trips and other school activities

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 The board of school directors in any school district may permit any vehicle purchased hired or placed in use for the transportation of pupils to be used for the transportation of pupils members of the faculty and necessary employes on trips for educational purposes and activities fostered sponsored or endorsed by the school authorities The aforesaid uses of transportation equipment shall be considered approved school purposes and shall not reduce in any manner any payments authorized by existing law to be made by the Commonwealth to such school district for reimbursement of transportation expenses including depreciation and repairs of vehicles used therefor

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

| | | | |
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| Achterman, Allmond, Auker, Baker, Balthaser, Baugher, Bentley, Bentzel, Boles, Boney, Boorse, Bower, Bradley, Breth, Bretherick, Brown, Brunner, C. H., Brunner, P. A., Burns, Burris, Cadwalader, Chervenak, Chudoff, Cochran, Cohen, M. M., Cohen, R. E., | Fletcher, Flynn, Foor, French, Gallagher, Gates, Gerard, Gillette, Goodwin, Greenwood, Gross, Gryskewicz, Gyger, Haberlen, Habbyshaw, Haines, Hall, Hamilton, Hare, Harkins, Harmuth, Harris, Heatherington, Helm, Hering, Herman, | Lovett, Lyons, Malloy, Marks, Maxwell, McClanaghan, McClester, McDermott, McDowell, McFall, McGrath, McIntosh, McKinney, McLanahan, McLane, McMillen, McSurdy, Hall, Melchiorre, Mihm, Modell, Monks, Mooney, Moran, Moul, Mulr, Munley, | Rosenfeld, Royer, Rush, Sarge, Sarraf, Scanlon, Schwab, Serrill, Shaffer, Shaw, Simons, Snyder, Sollenberger, Sorg, Stank, Stambaugh, Stine, Stockham, Tarr, Tate, Taylor, Thompson, E. F., Thompson, R. L., Trout, Turner, Van Allsburg, |
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| Cook, Cooper, Cordier, Corrigan, Croop, Cullen, Dalrymple, Dennison, DiGenova, Dix, Dolon, D'Ortona, Elliott, Ely, Falkenstein, Finestone, Finnerty, Fisher, Fiss, Fleming, | Hersch, Hewitt, Hirsch, Holland, Huntley, Imbrie, James, Jefferson, Jones, G. E., Keenan, Kenehan, Kilne, Knoble, Kolakiewicz, Komorowski, Krise, Lee, E. A., Lee, T. H., Leisey, Leonard, Lesko, Levy, Leydic, Lichtenwalter, Longo, | Nagel, Nunemacher, O'Brien, O'Connor, O'Dare, O'Mullen, O'Neill, Owens, Petrosky, Pettit, Polaski, Polen, Powers, Prosen, Rank, Readinger, Reagan, Reese, D. P., Reese, R. E., Reynolds, Rhea, Riley, Rooney, Rose, S., Rose, W. E., | Verona, Vincent, Vogt, Voldow, Voorhees, Wagner, Watkins, Wells, Welngartner, Welsh, E. E., Welsh, M. J., Wilkinson, Williams, Winner, Wolf, Wood, L. H., Wood, N., Woodring, Woodside, Yeakel, Yester, Young, Kilroy, Speaker. |
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NAYS—0

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

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

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 868, as follows:

An Act to further amend the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal Government and its agencies creating certain special funds in the custody of the State Treasurer and prescribing penalties" by further defining "contributions" to be paid by certain employers changing the procedure and administrative details for the determination and payment of compensation further regulating the appointment promotion dismissal suspension and furlough of civil service employes further defining the powers of and procedure before the board making payments out of the Unemployment Compensation Fund subject to agreement between the State Treasurer and the Social Security Board and making the Administration Fund subject to certain charges

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Clause (b) of section four of the act approved the fifth day of December one thousand nine hundred and thirty-six (1937 P. L. 2897) entitled "An act establishing a system of unemployment compensation to be administered by the Department of Labor and Industry and its existing and newly created agencies with personnel (with certain exceptions) selected on a civil service basis requiring employers to keep records and make reports and certain employers to pay contributions based on payrolls to provide moneys for the payment of compensation to certain unemployed persons providing procedure and administrative details for the determination payment and collection of such contributions and the payment of such compensation providing for cooperation with the Federal

Government and its agencies creating certain special funds in the custody of the State Treasury and prescribing penalties' is hereby amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

(b) "Benefit year" with respect to any individual means the fifty-two consecutive weeks beginning with the first [week] effective day occurring after January first one thousand nine hundred thirty-eight with respect to which compensation is payable to him and thereafter the fifty-two consecutive weeks beginning with the first [week] effective day with respect to which compensation is properly claimed by or next payable to him after the termination of his last preceding benefit year

Section 2 Clause (i) of section four of said act as amended by the act approved the eighteenth day of May one thousand nine hundred and thirty-seven (P. L. 658) is hereby further amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

(i) "Employer" means every (1) individual (2) copartnership (3) association (4) corporation (domestic or foreign) (5) the legal representative trustee in bankruptcy receiver or trustee of any individual copartnership association or corporation or (6) the legal representative of a deceased person (I) who or which employed or employs any employe (whether or not the same employe) in employment subject to this act for some portion of each of some [twenty (20)] two (2) days during the calendar year one thousand nine hundred thirty-six or any calendar year thereafter each day being in a different week in covered employment or (II) who or which has elected to become fully subject to this act and whose election remains in force

Whenever any employer contracts with or has under him any contractor or subcontractor for any work which is part of his usual trade occupation profession or business unless such employer as well as each such contractor or subcontractor is an employer (as defined in the first paragraph of this subsection) the employer shall for all the purposes of this act be deemed to employ each individual in the employ of each such contractor or subcontractor for each day during which said individual is engaged in performing such work except that each such contractor or subcontractor who is an employer (as defined in the first paragraph of this subsection) shall alone be liable for the employer's contributions measured by the wages payable to individuals in his employ and except that any employer who shall become liable for and pay contributions with respect to individuals in the employ of any such contractor or subcontractor who is not an employer (as defined in the first paragraph of this subsection) may recover the same from such contractor or subcontractor Each individual employed to perform or to assist in performing work of any agent or employe of an employer shall be deemed to be employed by such employer for all the purposes of this act whether such individual was hired or paid directly by such employer or by such agent or employe provided the employer had actual or constructive knowledge of the work

Where an employer maintains more than one place of employment within this Commonwealth all of the employes at the several places of employment shall be treated for the purposes of this act as if employed by a single employer

Any individual copartnership association or corporation who or which is not subject to this act may elect to become subject thereto by filing with the department his or its written application and if such application is approved by the department the election shall become binding for not less than two calendar years

An employer subject to this act may elect to include within the term "employment" subject to this act services performed by his or its employes entirely without this Commonwealth with respect to which no contributions are required and paid under an unemployment compensation

law of any other state if the employe or employes included in such election maintain a domicile within this Commonwealth Such election shall be subject to the approval of the department and if such election is approved by the department the election shall become binding for not less than two calendar years or until the department on its own motion cancels the election

An employer subject to this act may elect to include within the term "employment" subject to this act services performed by his or its employes which are exempt under the provisions of subsection (j) of section four of this act Such election shall be subject to the approval of the department and if such election is approved by the department the election shall become binding for not less than two calendar years

Any services performed for an employer covered by an election pursuant to this subsection shall during the effective period of such election be deemed to be employment for all the purposes of this act Any election approved by the department pursuant to this subsection shall cease to be effective only as of January first of any calendar year subsequent to the initial two calendar years thereof and only if at least thirty (30) days prior to such first day of January the employer has filed with the department a notice of termination of his election

Section 3 Clause (l) (s) and (v) of section four of said act are hereby amended to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

(1) "Full-time Weekly Wage" means the weekly wages that any individual would receive if he were employed at his most recent wage rate from employers during his base year and for the customary scheduled full-time week prevailing for his occupation in the enterprise in which he last earned wages from employers during his base year

If the department finds that the full-time weekly wage as above defined would be unreasonable or arbitrary or not readily determinable with respect to any individual the full-time weekly wage of such individual shall be deemed to be one-thirteenth of one-tenth of his total wages from employers in that quarter in which such total wages from employers were highest during the first eight out of the last nine completed calendar quarters (excluding however any completed calendar quarter which occurs prior to January first one thousand nine hundred thirty-seven) immediately preceding the first day of his benefit year

(s) "Total Unemployment" means [that an employe during a particular week has had no work for which wages are payable to him] the total lack of any employment or wages payable on any day including employment not subject to this act

(v) "Week" means any calendar week ending at midnight Saturday or [the equivalent thereof as determined in accordance with general rules adopted by the department] any seven consecutive calendar days or each accumulation of five effective days which need not be consecutive

Section 4 Section four of said act is hereby amended by adding after clause (v) a new clause to read as follows

Section 4 Definitions The following words and phrases as used in this act shall have the following meanings unless the context clearly requires otherwise

(w) "Effective Day" means a full day of total unemployment provided such day falls within a period of seven consecutive calendar days in which an employe had three or more days of total unemployment and provided further that those days of total unemployment in excess of two days within such period shall be deemed "effective days" An employe who is employed on a shift continuing through midnight shall be deemed to have been employed only on the day beginning after midnight with respect to such shift

Section 5 Subsections (e) and (f) of section two hun-

dred and eight of said act as amended by the act approved the eighteenth day of May one thousand nine hundred and thirty-seven (P. L. 658) are hereby further amended to read as follows

Section 208 Civil Service Selection of Personnel Additional Duties of Secretary and Board

(e) The secretary shall prescribe by rules and regulations the qualifications to be possessed by persons desiring employment in the various grades of employment in the administration of this act. The qualifications shall be such as will best promote the most efficient administration of this act and shall provide that persons applying for positions in the offices designated by the secretary as central administrative offices (which shall include all those having jurisdiction throughout the State) shall be citizens of the United States and shall have been legal residents of Pennsylvania for a period of not less than one year before making application and persons applying for positions in district offices (which shall include all those whose jurisdiction is limited to a particular district created under the provisions of this act) shall be citizens of the United States and shall have been legal residents of Pennsylvania for a period of not less than one year [and in the district in which such office is located for a period of not less than six months before making application]. Transfers of employes from one location of work to another must have the prior approval of the employes involved.

(f) Every individual desiring employment under the provisions of this act shall file with the board an application under oath or affirmation which shall be in a form prescribed by the board provided that such application shall be the same for all individuals desiring the same grade of employment and shall be so drawn as to reveal the qualifications as prescribed by the secretary. In no case shall the board require of the applicant any information pertaining to his race, creed, color or political affiliations. Upon receiving such application the applicant shall be admitted to the next competitive examination in the grade of employment which he or she seeks. Such competitive examinations shall be practical in their character and so far as may be possible shall relate to those matters which will fairly test the relative capacity and fitness of persons examined to discharge the duties of the service into which they seek to be appointed but no applicant shall be required to be possessed of any scholastic education or training in order to be permitted to take any competitive examination or to be appointed to any position. Such competitive examinations shall be in writing but in arriving at a final rating of applicants for such administrative and professional grades of employment as are so designated by the board the board may take into consideration such experience and personal qualifications as are related to the grades of employment for which applicants are being examined provided that the same standards shall apply with respect to all applicants in the same grade of employment. Provided however that in the final rating of all applicants persons who were engaged in the military or naval service of the United States during any war in which the United States was engaged and who have an honorable discharge from such service shall receive in addition to all other ratings an additional five per centum and any such person who shall have been disabled by wounds or in any other manner while engaged in such service (so long as he is able to perform the work of the employment for which he is examined) and who shall submit satisfactory evidence to the board that such disability was received while engaged in such service shall be rated an additional five per centum over and above the five per centum hereinafter set forth and in either case the total per centum mark or grade thus obtained shall determine the order of standing of such persons on any list of eligibles. Applications of individuals who have been appointed and who have served the probationary period specified in this section shall not be further reviewed or re-evaluated by the board.

Section 6 Subsection (i) of section two hundred and eight of said act is hereby amended to read as follows

Section 208 Civil Service Selection of Personnel Additional Duties of Secretary and Board

(i) The board shall certify to the secretary for each administrative district and for the State as a whole lists of the names of persons receiving a passing mark and shall rank such persons in the order of magnitude commencing with the highest rating for the specified grade of employment. Such list shall be known as a list of eligibles and shall be valid until the next examination is held for the same grade of employment but in no event for a period of less than one year unless no more than two names remain on a list of eligibles in which case a new examination [may] shall be held within six months but those whose names remained on the list of eligibles shall be retained on the new list for a period of at least one year from the date of their original certification.

In certifying lists of eligibles for the various grades in any class of employment the board shall certify persons taking identical examinations on all lists of eligibles for all grades in such class of employment for which they are qualified.

Section 7 Subsection (j) of section two hundred and eight of said act as amended by the act approved the eighteenth day of May one thousand nine hundred and thirty-seven (P. L. 658) is hereby further amended to read as follows

Section 208 Civil Service Selection of Personnel Additional Duties of Secretary and Board

(j) The secretary shall make appointments to positions created under this act and shall fill vacancies as they may occur from the lists of eligibles certified to him by the board except with respect to positions filled by promotions as hereinafter provided and by the appointment of persons exempted by subsection (b) of this section. In making appointments therefrom the secretary shall select from the three persons ranking highest on the list of eligibles for the grade of employment in the administrative district or in the State as a whole as the case may be the applicant most suitable for the position in the grade of employment for which a vacancy exists taking into consideration his experience and personal qualifications with sole reference to merit and fitness for the position to be filled. If upon inquiry by the secretary a person on the list of eligibles is found to be not available for employment or cannot be located his name shall not for the time being be considered among the three names from which a choice is to be made. For the second vacancy the secretary shall make selection from the highest three persons remaining on such list of eligibles who have not been within his reach for three separate vacancies. The third and any additional vacancies shall be filled in like manner.

Vacancies in positions subject to the provisions of this section whether such positions be newly created or vacated for any reason by any former incumbent shall be filled [in so far as practical] unless no qualified employes are available in a lower grade by promotions from among employes holding positions in the lower grades. In all cases an employe to be promoted shall possess the qualifications specified for the position and shall have served not less than six months (including service during any probationary period but not including service during any provisional employment) in a position under the provisions of this act. Promotions shall be based on merit and upon the superior qualifications of the employe to be promoted as shown by his or her previous service record under this act. The secretary may promote an employe to a higher position to which such employe has been certified as eligible by the board provided that the board shall in certifying such employe satisfy itself that the employe possesses the qualifications prescribed by the secretary for the higher position. Before making such certification the board may require any employe or employes to take such qualifying or competitive examinations as the board may prescribe.

Section 8 Subsection (k) (n) (o) (p) and (s) of section two hundred and eight sections three hundred and one and four hundred and one of said act are hereby amended to read as follows

Section 208 Civil Service Selection of Personnel Additional Duties of Secretary and Board

(k) A person selected for appointment shall be duly notified by the secretary in writing and upon accepting and reporting for duty shall receive from the secretary a certificate of appointment. The first nine months under this appointment shall be a probationary period. If and when after full and fair trial during this period the conduct or capacity of the probationer be not satisfactory to the secretary the probationer shall be notified in writing with a full statement of reasons and this notice shall terminate his services provided that within ten days he may appeal his case to the board in the same manner as hereinafter provided for individuals receiving notice of dismissal. The retention of such individual beyond the probationary period shall automatically confirm such individual as a permanent appointment and such an individual may not be dismissed suspended or furloughed except for the reasons specified in this section. An appointment designated with an "acting" status shall be limited to three months and if such appointee is not removed he shall retain a permanent status with salary and title to the position.

(n) When there are no more than two eligibles on a list of eligibles for any grade of employment in which a vacancy exists the secretary may in his discretion make an appointment therefrom or from any civil service list of eligibles of the same grade and similar specifications of duties established for State employment by the laws of this Commonwealth.

(o) The secretary may when in his judgment the public interest or the efficiency of the service requires summarily dismiss any employe of the department engaged in the administration of this act who has been finally convicted of an offense in connection with his duties in the administration of this act or of any felony or any crime involving moral turpitude.

The secretary may suspend for a period not to exceed thirty days or dismiss any employe of the department engaged in the administration of this act for delinquency or misconduct in his or her duties under this act.

The secretary may by reason of lack of funds or curtailment of work furlough any employe of the department engaged in the administration of this act provided that such employe shall be reinstated to the lists of eligibles and shall be given preference over all other persons on such lists of eligibles for future appointments to their own grade of employment or a lower grade in the same class of employment in order of seniority. Such eligibility for reinstatement shall remain effective for a period equal in length to an employe's service under this act but in no case shall it continue for a period longer than two years. Furloughs shall be made in reverse order of seniority within grades but in cases where two or more employes have equal seniority the one with the lowest rank on the civil service list shall be furloughed. Any employe displaced in this manner who has been previously promoted shall be returned to his previous position and salary by displacing the employe with the least service in that grade but in cases where two or more employes have equal seniority the one with the lowest rank on the civil service list shall be furloughed. This system shall apply to all promoted employes.

The secretary may demote to a vacant position in the lower grade in the same class of service any employe of the department who is unable to perform the duties of the position to which he or she was appointed and who is able to perform the duties of such lower grade.

Employes may upon application in writing to the secretary and upon written approval by him obtain a leave of absence without pay.

(p) All employes of the department engaged in the administration of this act who are given notice of dismissal suspension demotion or furlough shall be entitled to a hearing before the board by an appeal made within ten days after such notice of dismissal suspension demotion

or furlough becomes effective and shall be furnished with copies of any charges preferred against them and shall be allowed a reasonable time for personally answering the same in writing and submitting affidavits in support thereof. Any employe summarily dismissed or dismissed for delinquency or misconduct under a decision of the board or upon the expiration of the date for an appeal if no appeal has been taken shall be removed from all lists of eligibles for positions under this act. Any employe after having been dismissed suspended demoted or furloughed or having received notice of dismissal suspension demotion or furlough and who has made appeal thereof to the board shall be restored by the secretary upon being sustained on such appeal by the decision of the board to the same grade of employment in which he had been employed and [in the discretion of the board] shall be fully reimbursed for any loss of salary caused by such dismissal suspension demotion or furlough. The board shall hear such appeals and render a final decision in all cases under this section in not more than thirty days after the date of such appeals and shall keep records of such appeals as provided for appeals for compensation under section five hundred four of this act. Appeals may be taken by the secretary or the employe from the board to the Superior Court within thirty days after the decision of the board in the same manner as provided in this act for appeals with respect to compensation.

(s) Whoever makes a false statement or representation knowing it to be false or knowingly fails to disclose a material fact or in any manner conceals any information in order to obtain employment either for himself or any other person under this section shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than twenty dollars nor more than two hundred dollars and in the default of the payment of such fine and costs shall be sentenced to imprisonment for not more than thirty days and each such violation shall be deemed to be a separate offense and his name shall be removed from all lists of eligibles and if appointed he shall be summarily dismissed.

A material fact or item of information shall be limited to one which the board exercising due diligence is able to prove false within the nine months' probationary period. The board shall have no authority to act under this section following the expiration of the nine months' probationary period for the employe involved.

Section 301 Contributions by Employers of Eight or More Employes. Each employer who has employed eight or more employes (whether or not the same employes) in employment for some portion of each of some two (2) days [(whether or not at the same moment of time) during a calendar year each day being in a different week] shall pay for each such calendar year beginning with the calendar year one thousand nine hundred thirty-six contributions into the Unemployment Compensation Fund which shall be equal to but not more than the amount of the maximum credit allowable to such employer for such calendar year by section nine hundred two of the Social Security Act against the Federal excise tax imposed by section nine hundred one of the Social Security Act with respect to employment. Such payments shall be made at such times and in such manner as the department shall prescribe. Such contributions in order to be no more and no less than the maximum credit allowable under the Social Security Act against such Federal excise tax shall be equal to the following percentages of total wages paid or payable by the employer for such calendar year:

(1) Nine-tenths of one per centum for the calendar year one thousand nine hundred thirty-six.

(2) One and eight-tenths per centum for the calendar year one thousand nine hundred thirty-seven and

(3) Two and seven-tenths per centum for the calendar year one thousand nine hundred thirty-eight and each calendar year thereafter.

Section 401 Qualifications Required to Secure Compensation. Compensation shall be payable to any employe who is or becomes totally unemployed on or after January first one thousand nine hundred thirty-eight and who

(a) Has within his base year earned wages from em-

ployers of not less than [thirteen times his weekly compensation amount] one hundred dollars except for casual labor

(b) Has registered for work at a designated employment office at such times and in such manner as the department may prescribe

(c) Has made a claim for compensation in the proper manner prescribed by the department

(d) Is able to work and available for work and

(e) Has been totally unemployed for a waiting period of at least [three weeks five effective days which need not be consecutive (except as otherwise hereinafter provided in this clause) prior to [any] the first week for which he claims compensation provided that such [three weeks] five effective days of total unemployment shall occur after compensation first becomes payable under this act Such [three weeks] five effective days shall not include any [week] day in which the employe was ineligible for compensation under section four hundred two of this act or was ineligible for compensation under any provision of this section excepting however paragraphs (a) and (c) of this section The [three weeks] five effective days of total unemployment need not be consecutive but may be accumulated over the period of fifty-two consecutive weeks preceding any week for which he claims compensation Provided That this requirement shall not interrupt the payment of compensation for consecutive weeks of unemployment If the employe's total unemployment is due to a voluntary suspension of work resulting from an industrial dispute then he shall be ineligible for compensation for a further waiting period of three weeks or fifteen effective days in addition to the waiting period hereinbefore prescribed in this clause

(f) In claiming benefits hereunder an employe shall correctly report any days of employment including employment not subject to this act and the days on which he was totally unemployed and shall make such reports in accordance with such regulations as the department shall prescribe

Section 9 Section four hundred and two of said act as amended by the act approved the twentieth day of June one thousand nine hundred and thirty-nine (P. L. 458) is hereby further amended to read as follows

Section 402 Ineligibility for Compensation An employe shall be ineligible for compensation for any [week] period under the provisions of section four hundred one of this act

(a) In which his employment is due to failure without good cause either to apply for suitable work when so directed by the employment office or to accept suitable work when offered to him by the employment office In determining whether or not any work is suitable for an individual the department shall consider the degree of risk involved to his health safety and morals his physical fitness and prior training and experience and the distance of the available work for his residence

(b) In which his unemployment is due to voluntarily leaving work except where as a condition of continuing in employment the employe would be required to join or remain a member of a company union or to resign from or refrain from joining any bonafide labor organization or to accept wages hours or conditions of employment not desired by a majority of the employes in the establishment or the occupation or would be denied the right of collective bargaining under generally prevailing conditions

(c) With respect to which or a part of which he has received or is seeking unemployment benefits under an unemployment compensation law of any other state or of the United States Provided That if the appropriate agency of such other state or of the United States finally determines that he is not entitled to such unemployment benefits the disqualification shall not apply

(d) Any employe ineligible for compensation under section four hundred one of this act because of the provisions of (a) and (b) of this section shall become eligible for unemployment compensation in accordance with his earnings if such employe has not secured any employment for a period of four weeks after he has become unemployed

Section 10 Sections four hundred and three four hundred and four five hundred and four five hundred and

five six hundred and two and six hundred and three of said act are hereby amended to read as follows

Section 403 Rate and Payment of Weekly Compensation Compensation shall be paid only for each accumulation of five effective days which need not be consecutive and shall be payable at the rate of (fifty) sixty-six and two thirds per centum of the employe's full-time weekly wage but the amount shall not be more than (fifteen) twenty dollars nor less than (seven dollars and fifty cents) ten dollars a week An employe's weekly compensation amount as determined for the first week of his benefit year shall constitute his weekly compensation amount throughout such benefit year Compensation shall be computed to the nearest multiple of (five) fifty cents Compensation shall be paid through employment offices at such times and in such manner as the department may prescribe

Any claimant who begins a benefit year after the effective date of these amendments shall have his benefit and compensation rights determined in accordance with such amendments Provided That any claimant who may have accumulated one or more weeks of waiting within fifty-two weeks of the effective date of these amendments without having begun a benefit year may have on week of such accumulated time credited to him at the beginning of and for use in the benefit year beginning subsequent to the effective date of these amendments

Section 404 Amount of Compensation The maximum total amount of compensation payable to any eligible employe during any benefit year shall not exceed [one-eighth] one-fifth of his total wages from employers during the first eight out of the last nine completed calendar quarters immediately preceding each week with respect to which compensation is payable (excluding however any completed calendar quarter which occurs prior to January first one thousand nine hundred thirty-seven) or [thirteen] sixteen times his weekly compensation amount whichever is the lesser

The department may maintain a separate account for each employe and in such event shall credit his account with all wages earned by him from employers subsequent to January first one thousand nine hundred thirty-seven Compensation paid to an eligible employe shall be charged against amounts credited to such account in the chronological order in which the wages of such individual were earned from employers

Section 504 Powers of Board Over Claims The board shall have power on its own motion or on appeal to remove transfer or review any claim pending before or decided by a referee and in any such case and in cases where a further appeal is allowed by the board from the decision of a referee may affirm modify or reverse the decision of the department or referee on the basis of the evidence previously submitted in the case or direct the taking of additional evidence When any claim pending before a referee is removed or transferred to the board the board shall afford the claimant and all other affected parties reasonable opportunity for a fair hearing The parties shall be duly notified of the board's final decision and the reasons therefor A complete record shall be kept of each case heard before the board All testimony at any hearing before the board whether on appeal or otherwise shall be taken by a reporter but need not be transcribed unless the disputed claim is further appealed

Section 505 Rules of Procedure The manner in which appeals shall be taken the reports thereon required from the department the claimant and employers and the conduct of hearings and appeals shall be in accordance with rules of procedure prescribed by the board whether or not such rules conform to common law or statutory rules of evidence and other technical rules of procedure Provided however That the board shall afford the claimant and all other affected parties a reasonable opportunity for a fair hearing which shall be public and wherein all evidence shall be taken under oath or affirmation

Section 602 Administration Fund There is hereby created a special fund to be known as the Administration Fund which shall consist of all moneys or other property received by the department from the United States of America or any agency thereof including the Social Security Board or from any other source whatsoever to be

used for administration of this act The department shall pay all costs required for the administration and operation of this act out of the Administration Fund

In addition any law to the contrary notwithstanding this fund shall be subject to a charge by the Treasury Department for the costs incurred by said department in making disbursements arising from payments out of the Unemployment Compensation Fund and the fund created in this section

Section 603 State Treasurer as Custodian The State Treasurer shall be the custodian of the Unemployment Compensation Fund and the Administration Fund He shall give a bond or bonds with corporate sureties conditioned upon the faithful performance of his duties as custodian of such funds in such amount or amounts as shall be determined and fixed by the Executive Board of this Commonwealth Premiums for such bond or bonds shall be paid by the department out of the moneys in the Administration Fund All moneys belonging to such funds (exclusive of moneys on deposit in the Unemployment Trust Fund as provided in section six hundred one) shall be deposited by the State Treasurer in any banks or public depositories in which general funds of the Commonwealth may be deposited but no public deposit insurance charge or premium shall be paid out of moneys in the Unemployment Compensation Fund Any law to the contrary notwithstanding all payments from such funds shall be made by the State Treasurer under such systems of requisitioning and accounting as [the Governor] the State Treasurer [and secretary] shall determine with the approval of the Social Security Board

Section 2 The provisions of this act shall become effective immediately upon final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. REUBEN E. COHEN. Mr. Speaker, House Bill 868 is the first real amendment to the Unemployment Compensation Act of Pennsylvania which was first passed in this House during the special session in December 1936. The authors of this bill feel that at this time amendments properly should be made, to the Unemployment Compensation Law of Pennsylvania in the light of reliably ascertainable information at our command. What we are attempting to do in this bill is to liberize the spending of the vast reserve which up to this time has accumulated into that special fund. By liberalizing it we are asking to raise the minimum compensation to be paid from seven and one half to ten dollars per week, but we are asking them to raise the maximum from fifteen to twenty dollars per week, and to extend the number of weeks in which compensation may be paid within the year to sixteen weeks from thirteen weeks, and to reduce the waiting period from three weeks out of five, as the law now provides, to one week, as this bill describes it five effective days. The bill will also provide that casual labor may indulged in by the recipients of unemployment compensation without giving up the right to their compensation to which they are entitled under the present Act. By using the terminology five effective days as a waiting period, and by using the five effective days as the indication or the standard of any one calendar week at the time the compensation may be paid, we are not going to penalize a person who is compelled to go on unemployment compensation from accepting casual employment for one or two days a week. There have been many instances where a small employer has been unable to get this casual labor for one or two days a week because by so doing they

will give up their benefits, which is much higher than the income from a day or two of casual employment. We have taken all the available figures and we have come to this conclusion, there is one hundred and fifty million dollars in the Unemployment Compensation fund. That figures is approximate but very close. We believe that by giving greater benefits in the ensuing year, if these amendments are put into effect, taking into consideration the fact that employment is on the rise, employer contributions will thereby be greater and the demands on the funds will be smaller and that industry will not be burdened by the additional payment but that Pennsylvania will have the benefit of an increased amount of money in the hands of the consumer, which will help to keep Pennsylvania busy. We also feel that in this measure we are not in any way going to impair the cushion this particular fund represents, if there should be another serious situation of unemployment in Pennsylvania, that there can be a period of sixteen weeks or approximately four months time when those who are thrown out of employment may seek what is justly due them in the way of funds upon which to live before we as legislators can be compelled to rush up here in an emergency situation to figure out ways and means of increasing our appropriations to the Department of Public Assistance, in the way of relief.

That in brief, Mr. Speaker and members of the House, covers what the four amendments will do as far as the employer is concerned. There are other provisions in the bill concerning civil service and we have attempted to bring them more into line with the provisions of the Social Security Board: we are attempting to protect the workers in their work; we are attempting to make more reasonable regulations as to methods of employment and conditions of employment. I think that the reasonableness of this bill will appear to any member of this House, that these amendments are acceptable as a good gift to the people of Pennsylvania, and I ask you to support the bill.

Mr. TURNER. Mr. Speaker, I had hoped to avoid action upon this measure this afternoon because the hour is late and we have had a lot of debate and some fun, and I know that we all want to get away. However, I am going to try to make what I have to say as brief as possible.

Back in the session of 1939 a resolution was passed by the Legislature charging the study by a commission created under that resolution, of merit rating in unemployment compensation. Likewise a resolution was passed in the 1939 session charging the Joint State Government Commission with the study of unemployment compensation. It seemed to those of us who were concerned with the Joint State Government Commission that the most sensible think to do would be to have a commission especially appointed under the resolution on merit rating, to take the whole question of unemployment compensation and make their study.

Senator Heyburn of Delaware County was the Chairman of that Commission to study unemployment compensation. Throughout the period between the Fall of 1939 and the opening of this session that commission worked very diligently, first through the staff of the Joint State Government Commission, in developing and securing necessary data and statistics on this whole question. Then that commission through a long series of hearings in which they had industry and labor and all sorts of groups and

Departments which administer unemployment compensation, they had those different groups present at the different hearings of the Commission and they sought to find from them the necessary changes in the things that should be done in the Unemployment Compensation Act. The Commission has finished its report and the report of the commission was submitted to the Joint State Government Commission. As a result of the recommendations of the commission of Unemployment Compensation, the Joint State Government Commission made recommendations, the same recommendations which were made by the commission and made those recommendations as recommendations of the Joint State Government Commission. Pursuant to the report of the Joint State Government Commission and the Commission on Unemployment Compensation and their recommendations a bill was drafted embodying the recommendations of that commission, and as it seemed to us proper in discussing the matter, that was introduced in the Senate by Senator Heyburn, who was Chairman of that Commission, and who worked very diligently on it, and by Senator Dent who was a co-sponsor, who also had been a member of that Commission. It seems to me that there were two other Senators who appeared on the bill, but those two Senators were the two Senators on the Commission to study Unemployment Compensation. That bill was at the beginning of the week on the calendar of the Senate. I believe it has been held there according to my information for some further amendments that have been suggested and which seem proper to make on this question of unemployment compensation. The Joint State Government Commission announced back some time in either the early part of January or late in December, that it had reduced the waiting period in this bill from three weeks, or in its recommendations from three weeks to two weeks, that it was increasing the compensation and a number of other liberalizing features of the present Unemployment Compensation Act. Shortly after that announcement was made, some group of the Democratic Party announced that they were going to reduce the waiting period to one week, that they were going to increase the amount of benefits which the Commission recommended to some larger sum. Therefore, I presume that the bill which is now before the House is carrying out that same idea, and it seems to me that the attempt is purely to put in a bill to go one better in the recommendations of the Joint State Government Commission. That bill was sponsored by Senator Heyburn, a Republican, and by Senator Dent, a Democrat, in the Senate. It seems to me that the proper procedure here would have been to wait until that bill came out of the Senate. What is the use of the Commission spending from sixteen to eighteen months in studying a proposition and making its recommendations based upon the fact which the Commission had? What is the use of us creating a commission to give us the benefit of that information and having a bill introduced carrying that out, if the minute that bill is introduced in the Senate somebody in the House is going to introduce a bill to go one step further? I think we are all interested in liberalizing the Unemployment Compensation Act. There are a lot of very grave problems involved in every move that we make, and contrary to what the gentleman from Philadelphia has said, we have found that many times, in the study of unemployment compensation we do not have sufficient experience or data or information upon

which we can go as far as we might ordinarily have thought it was possible to go. You cannot just look at the fund and say, "we have got a lot of money at present, let us expand the benefits some place". As I said at the beginning, I had no desire to debate this bill this afternoon. I would much rather be out of here, but as this bill is as far reaching as it is and as it is extremely important, not only as a benefit to labor and to the working man but it involves a very heavy burden upon the small employer. I'm not thinking of the large employer who can meet these problems as long as they do not put him on a differential basis, which is unfavorable as compared with industry in other states, because this act is general, and the Federal Act does not so much affect the larger employer as it does the smaller employer in Pennsylvania who have felt the great burden of this unemployment compensation Act.

Therefore, it seems to me that the Members of the House might spend the next few moments, as much as it may be a strain upon them to do so, in learning something about this great problem which is before us. I will endeavor to say these things in a way that perhaps they will understand and give them as far as I can the benefit of the experience I have had in this work which has been done. Then again I say, what is the use of having this study, what is the use of introducing a bill in the Senate if immediately you introduce in the House a bill that simply goes one better. Why wouldn't it have been the better and more orderly procedure to have waited for the bill to come from the Senate, giving a result of the study, backed by the men who were on this Commission? Then if the House in its judgment, after it had a chance to study the measure, after it had an opportunity to study the amendments of the Senate or if there are amendments of this bill which you want to make which are not in the Senate bill, then offer them in the proper and orderly procedure, rather than to present to us a bill which most of the members of this House haven't had an opportunity to know whether it does meet the requirements, because they haven't had the advantage of prior study, they have had no opportunity to know whether the provisions of this bill are right or not. Many of the Members of this side of the House have felt that they ought to vote for this bill because it has many benefits for the people, but on the other hand we want to know we are not doing something to harm the people we are trying to help. Because unemployment has been reduced and because unemployment is down now and the fund is mounting very rapidly, now is the time in the sunshine to make hay, now is the time to store away for that day when we will be back to a greater volume of unemployment upon the backs of the people of Pennsylvania. We are all in favor of increased benefits, we are all in favor of going as far as we can possibly go, but it seems to me we should have waited for the bill to come from the Senate rather than introduce a bill in the House which goes one step farther.

MOTION TO RECOMMEND

Mr. TURNER. Therefore, Mr. Speaker, I move that this bill be recommitted to the Committee on Labor, rather than have two bills, one in the Senate and one in the House. It is just as easy to amend this bill when it arrives from the Senate when the bill comes on the floor. I am informed, I do not have the information to debate this

question, but I am advised by those who have carefully studied it that there are a lot of things in this bill that are not proper, and that there are some things in the draftsmanship of that bill which are not good. Therefore, why not recommit the bill, Mr. Speaker?

On the question,

Will the House agree to the motion?

Mr. REUBEN E. COHEN. Mr. Speaker, in asking you to vote against this motion to recommit may I say briefly this, in the early part of the session the Joint State Government Commission distributed amongst the members of this House a great number of pamphlets concerning their investigation and studies in the past eighteen months. I do not know what many members did with those pamphlets, but I saved mine and I made a study of many of the recommendations on unemployment compensation made by the Commission. The sponsors of this bill disagree in some parts and agree in some parts with what the Joint State Government Commission agreed upon.

We accepted their ideas where we thought they might be right, at any rate, this bill agrees with what we thought, the sponsors felt about the matter as to the ground work of the Joint State Government Commission. We have taken it and where we thought we could be a little more liberal in such cases we have done so because we made further studies to determine that there would be no great withdrawing of money that would prevent a proper margin of safety. We are not going to dissipate the money at this time and leave ourselves open later on. It seems to me that the disagreement we have had with Mr. Turner is not in reference to the purpose of the bill it is in reference to the method. I just received information that the bill has been recommitted this morning. If that bill was recommitted,—I may be wrong about that, but I do not know, if there are any amendments the House desires to make, why they cannot be considered. I only want to repeat here the liberalization that we on this side of the House have added to the measure which we put into the law in 1936. We in the Democratic Party initiated the program in Pennsylvania at a special session in December 1936, and the Democrats are now saying that the act could stand a lot of liberalization, and we are basing all our liberalized ideas fundamentally on what the Joint State Government Commission found in their study. We are not throwing out the report of the Joint State Government Commission I have treasured that report of the Commission, and I have kept the report close with me all the time, and if possible I took what they did. I find myself in agreement on some things and in disagreement on other things, and where I am in disagreement on certain things I am sure that the gentleman will say that I have the right to disagree. Again I say to the gentlemen on this side of the house and to the gentlemen on the other side of the House that what we have in this bill to-day is a fair solution to a problem that we have before us to-day, and it is a fair extension of the principals which this side of the House put into effect in December 1936.

Mr. TURNER. Mr. Speaker, I think I may properly say that the bill of the Senate was not recommitted for any disagreement as far as the general proposition is concerned because there was a number of amendments, as I said before, for which the bill has been held on the calendar awaiting their completion. I understood that

they were completed but I may be wrongly informed, and therefore I know that there is no danger that a bill on unemployment compensation, sponsored by Senator Heyburn and Senator Dent will not come over to this House for action by this House, and I can see no reason why we should clutter up the record with further legislation which can be properly secured in this House by the gentleman from Philadelphia when the Senate bill comes over.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. TROUT. Mr. Speaker, I am in agreement with a great many provisions of this act. To a great extent it carries out the recommendations made by the committee which studied unemployment compensation, of which I happened to be a member. I would like, however, to state to the Members of the House that because of the fact that two of my colleagues who served on that commission are sponsoring the bill in the Senate, as stated by the gentleman from Delaware, Mr. Turner, which is a non-partisan bill, sponsored by Senator Dent and Senator Heyburn, I will vote against the bill, and I want to state my reason for doing so to the House.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—139

| | | | |
|-----------------|----------------|--------------|------------------|
| Achterman, | Fleming, | Malloy, | Reese, R. E. |
| Allmond, | Fletcher, | Marks, | Regan, |
| Auker, | Flynn, | Maxwell, | Reynolds, |
| Baker, | French, | McClanaghan, | Rooney, |
| Balthaser, | Gallagher, | McDermott, | Rosenfeld, |
| Baucher, | Gates, | McFall, | Rush, |
| Bentley, | Gerard, | McGrath, | Sarraf, |
| Bentzel, | Goodwin, | McIntosh, | Scanlon, |
| Boies, | Gryskewicz, | McLanahan, | Schwab, |
| Boney, | Haberlen, | McLane, | Shaffer, |
| Bower, | Hatnes, | McSurdy, | Shaw, |
| Bradley, | Hamilton, | Melchiorre, | Sorg, |
| Breth, | Milhm, | Monks, | Stank, |
| Brown, | Harmuth, | Modell, | Stine, |
| Brunner, P. A., | Harris, | Mooney, | Tarr, |
| Burns, | Heatherington, | Moran, | Tate, |
| Burris, | Helm, | Moul, | Thompson, E. F., |
| Chervenak, | Hering, | Munley, | Thompson, E. L., |
| Chudoff, | Herman, | Nagel, | Verona, |
| Cochran, | Hersch, | Nunemacher, | Vogt, |
| Cohen, M. M., | Hirsch, | O'Brien, | Voldow, |
| Cohen, R. E., | Holland, | O'Connor, | Voorbees, |
| Cooper, | Huntley, | O'Dare, | Watkins, |
| Cordier, | Jefferson, | O'Mullen, | Weiss, |
| Corrigan, | Keenan, | O'Neill, | Welsh, E. B., |
| Croop, | Kenehan, | Owens, | Welsh, M. J., |
| Cullen, | Kline, | Petrosky, | Williams, |
| DiGenova, | Knoble, | Pettit, | Wolf, |
| Dolon, | Kolankiewicz, | Polaski, | Woodring, |
| D'Ortona, | Komorowski, | Polen, | Wright, |
| Early, | Leonard, | Powers, | Yester, |
| Elliott, | Lesko, | Prosen, | Young, |
| Falkenstein, | Levy, | Rausch, | Kilroy |
| Finestone, | Longo, | Readinger, | Speaker. |
| Finnerty, | Lovett, | | |

NAYS—44

| | | | |
|-------------|------------|---------------|---------------|
| Bretherick, | Hare, | Muir, | Stockham, |
| Cadwalader, | Hewitt, | Reagan, | Taylor, |
| Dennison, | Imbrie, | Reese, D. P., | Trout, |
| Eckels, | James, | Riley, | Turner, |
| Elder, | Krise, | Rose, W. E., | Van Allsburg, |
| Ely, | Leisey, | Royer, | Wagner, |
| Fliss, | Lyons, | Sarge, | Wilkinson, |
| Gillette, | McClester, | Serrill, | Winner, |

| | | | |
|-------------------------------|-------------------------------------|-------------------------------------|-----------------------------------|
| Gyger, Habbyshaw, Hall, | McDowell, McKinney, McMillen, | Simons, Snyder, Sollenberger, | Wood, N., Woodside, Yeakel, |
|-------------------------------|-------------------------------------|-------------------------------------|-----------------------------------|

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 THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No 769, (Senate Bill No. 176), entitled:

An Act for the judicial notice of the ordinances of cities boroughs incorporated towns and townships of the first class and for proof thereof and to make uniform the law with reference thereto.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

| | | | |
|-----------------|----------------|---------------|------------------|
| Achterman, | Fletcher, | Lovett, | Rosenfeld, |
| Allmond, | Flynn, | Lyons, | Royer, |
| Auker, | Foor, | Malloy, | Rush, |
| Baker, | French, | Marks, | Sarge, |
| Balthaser, | Gallagher, | Maxwell, | Sarraf, |
| Baughner, | Gates, | McClanaghan, | Scanlon, |
| Bentley, | Gerard, | McClester, | Schwab, |
| Bentzel, | Gillette, | McDermott, | Serrill, |
| Boles, | Goodwin, | McDowell, | Shaffer, |
| Boney, | Greenwood, | McFall, | Shaw, |
| Boorse, | Gross, | McGrath, | Simons, |
| Bower, | Gryskewicz, | McIntosh, | Snyder, |
| Bradley, | Gyger, | McKinney, | Sollenberger, |
| Breth, | Habbyshaw, | McLanahan, | Sorg, |
| Bretherick, | Haberlen, | McLane, | Stambaugh, |
| Brown, | Haines, | McMillen, | Stank, |
| Brunner, C. H., | Hall, | McSurdy, | Stine, |
| Brunner, P. A., | Hamilton, | Melchiorre, | Stockham, |
| Burns, | Hare, | Mihm, | Tarr, |
| Burris, | Harkins, | Modell, | Tate, |
| Cadwalader, | Harmuth, | Monks, | Taylor, |
| Chervenak, | Harris, | Mooney, | Thompson, E. F., |
| Chudoff, | Heatherington, | Moran, | Thompson, R. L., |
| Cochran, | Helm, | Moul, | Trout, |
| Cohen, M. M., | Hering, | Muir, | Turner, |
| Cohen, R. E., | Heerman, | Munley, | Van Allsburg, |
| Cook, | Hersch, | Nagel, | Verona, |
| Cooper, | Hewitt, | Nunemacher, | Vincent, |
| Cordier, | Hirsch, | O'Brien, | Vogt, |
| Corrigan, | Holland, | O'Connor, | Voldow, |
| Croop, | Huntley, | O'Dare, | Voorhees, |
| Cullen, | Imbrie, | O'Mullen, | Wagner, |
| Dalrymple, | James, | O'Neill, | Watkins, |
| Dennison, | Jefferson, | Owens, | Weingartner, |
| DiGenova, | Jones, G. E., | Petrosky, | Weiss, |
| Dix, | Keenan, | Pettit, | Welsh, E. B., |
| Dolon, | Kenehan, | Polaski, | Welsh, M. J., |
| D'Ortona, | Kline, | Polen, | Wilkinson, |
| Duffy, | Knoble, | Powers, | Williams, |
| Early, | Kolankiewicz, | Prosen, | Willams, |
| Eckels, | Komorofski, | Rank, | Winner, |
| Elder, | Krise, | Readinger, | Wolf, |
| Elliott, | Lee, E. A., | Reagan, | Wood, L. H., |
| Ely, | Lee, T. H., | Reese, D. P., | Wood, N., |
| Falkenstein, | Lelsey, | Reese, R. E., | Woodring, |
| Finestone, | Leonard, | Reynolds, | Woodside, |
| Finnerty, | Lesko, | Rhea, | Yeakel, |
| Fisher, | Levy, | Riley, | Yester, |
| Fiss, | Leydic, | Rooney, | Young, |
| Fleming, | Lichtenwatter, | Rose, S., | Kilroy, |
| | Longo, | Rose, W. E., | |

Speaker.

NAYS—0

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

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with out amendment.

BILL PASSED OVER

There being no objection House Bill No. 383, Printer's No. 147, was passed over at the request of the Speaker.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 70, as follows:

An Act to amend section seven hundred three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" by providing for the compensation paid to township commissioners

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows

Section 1 Section seven hundred three of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows

Section 703 Compensation [Each township commissioner] [shall receive a salary of one hundred dollars per year in townships having a population of less than five thousand two hundred dollars per year in townships having a population of five thousand and more but less than twenty-five thousand and three hundred dollars per year in townships having a population of twenty-five thousand and more payable quarterly as full compensation for the duties imposed by the provisions of this act] Each township commissioner shall receive a salary of not more than two hundred dollars per year in townships having a population of less than four thousand not more than three hundred dollars per year in townships having a population of four thousand and more but less than ten thousand and not more than four hundred dollars per year in townships having a population of ten thousand and more but less than fifteen thousand not more than five hundred dollars in townships having a population of fifteen thousand or more but less than twenty thousand and not more than six hundred dollars in townships having a population of twenty thousand or more payable quarterly as full compensation for the duties imposed by the provisions of this act

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

| | | | |
|------------|------------|--------------|------------|
| Achterman, | Fletcher, | Lovett, | Rosenfeld, |
| Allmond, | Flynn, | Lyons, | Royer, |
| Auker, | Foor, | Malloy, | Rush, |
| Baker, | French, | Marks, | Sarge, |
| Balthaser, | Gallagher, | Maxwell, | Sarraf, |
| Baughner, | Gates, | McClanaghan, | Scanlon, |
| Bentley, | Gerard, | McClester, | Schwab, |
| Bentzel, | Gillette, | McDermott, | Serrill, |
| Boles, | Goodwin, | McDowell, | Shaffer, |
| Boney, | Greenwood, | McFall, | Shaw, |

| | | | |
|-----------------|----------------|-----------------|------------------|
| Boorse, | Gross, | McGrath, | Simons, |
| Bower, | Gryskewicz, | McIntosh, | Snyder, |
| Bradley, | Gyger, | McKinney, | Sollenberger, |
| Breth, | Habbyshaw | McLanahan, | Sorg, |
| Bretherick, | Haberlien, | McLane, | Stambaugh, |
| Brown, | Haines, | McMillen, | Stank, |
| Brunner, C. H., | Hall, | McSurdy, | Stine, |
| Brunner, P. A. | Hamilton, | Melchiorre, | Stockham, |
| Burns, | Hare, | Mihm, | Tarr, |
| Burris, | Harkins, | Modell, | Tate, |
| Cadwalader, | Harmuth, | Monks, | Taylor, |
| Chervenak, | Harris, | Mooney, | Thompson, E. F., |
| Chudoff, | Heatherington, | Moran, | Thompson, R. L., |
| Cochran, | Helm, | Moul, | Trout, |
| Cohen, M. M., | Hering, | Muir, | Turner, |
| Cohen, R. E. | Herman, | Munley, | Van Allsburg, |
| Cook, | Hersch, | Nagel, | Verona, |
| Cooper, | Hewitt, | Nunemacher, | Vincent, |
| Cordier, | Hirsch, | O'Brien, | Vogt, |
| Corrigan, | Holland, | O'Connor, | Voldow, |
| Croop, | Huntley, | O'Dare, | Voorhees, |
| Cullen, | Imbrie, | O'Mullen, | Wagner, |
| Dalrymple, | James, | O'Neill, | Watkins |
| Dennison, | Jefferson, | Owens, | Welngartner |
| DiGenova, | Jones, G. E., | Petrosky, | Weiss, |
| Dix, | Keenan, | Pettit, | Welsh, E. B., |
| Dolon, | Kenehan, | Polaski, | Welsh, M. J., |
| D'Ortona, | Kilne, | Polen, | Wilkinson, |
| Duffy, | Knoble, | Powers, | Williams, |
| Early, | Kolankiewicz, | Prosen, | Winner, |
| Eckels, | Komorofski, | Rank, | Voll, |
| Elder, | Krise, | Readinger, | Wood, F. H. |
| Elliot, | Lee, E. A., | Reagan, | Wood, N., |
| Ely, | Lee, T. H., | Reese, David P. | Woodring, |
| Falkenstein, | Lelsey, | Reese, R. E., | Woodside, |
| Finestone, | Leonard, | Reynolds, | Yeaker, |
| Finnerty, | Lesko, | Rhea, | Yester, |
| Fisher, | Levy, | Riley, | Young, |
| Fiss, | Leydic, | Rooney, | Kilroy, |
| Fleming, | Lichtenwaiter, | Rose, S., | Speaker |
| | Longo, | Rose, W. E., | |

to hold the public Hearing in the hall of the House at 7:30 this evening instead of in the new House Caucus Room.

The SPEAKER. Will the House grant the request of the gentleman from Philadelphia?

The Chair hears no objections and permission is granted

RESOLUTIONS

SYMPATHY EXTENDED

Mr. CADWALADER offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, April 1, 1941

The sudden passing of Joseph McElhatton, aged 57, of West Conshohocken, Montgomery County, came as a profound shock to the citizens of Montgomery County and to his innumerable friends throughout the Commonwealth.

A colorful political figure among the Montgomery County Democrats, he was serving his fourth term as burgess when he died.

His was that rare gift of friendship, to which all men aspire, and which so few can call their own. So well liked was he in his county that he was never opposed when he ran for office.

His life, therefore, stands as a model for all who enter the political arena. His single-minded devotion to the improvement of the community in which he resided, his devotion to the ideal of true public service, once he left the railroad on which he served as an engineer for the field of politics, and his inherent love for his fellowmen, so endeared him to one and all that he was respected and revered, especially by the younger people of his community, to an extent enjoyed by only a very fortunate few.

Whereas, The suddenness of his death accentuates more keenly the profound loss his community, county, and State have suffered at his passing; therefore be it

Resolved, That the Chief Clerk of the House of Representatives send a copy of this resolution to the bereaved sister and brother of the deceased as a symbol of the House of Representatives' profound sympathy for them on their great loss.

POLISH DAY

Messrs. SARRAF and BAKER offered the following resolution and asked and obtained unanimous consent for its immediate consideration.

The resolution was read, considered and adopted:

In the House of Representatives, April 1, 1941

Whereas, The pages of history nowhere show a greater love of country than that exhibited by the citizens of Poland over the course of the centuries; and

Whereas, Today, as two centuries before, the liberty-loving Poles have been trampled by the legions of a tyrant; and

Whereas, As history is indebted to Poland for the aid rendered our own cause during the Revolutionary War by great military leaders from Poland; and

Whereas, People of Polish descent have greatly contributed to the progress of the United States as citizens of the Republic. They have been loyal, progressive and law abiding. They have entered the various phases of American Life and contributed greatly thereto. They have been noted for their community spirit in matters of charity and human kindness. Their campaign in education for American citizenship has been outstanding; and

Whereas, The least we could do for citizens of Poland and our own citizens of Polish descent is to recognize their contribution to our own cultural and economic advancements, and to offer some recognition of their fight for Poland's independence; be it therefore

Resolved, (if the Senate concur), That the Legislature of this State acknowledges the contribution made to our nation by persons of Polish origin by endorsing the cele-

NAYS—0

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

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

FORMER MEMBER WELCOMED

The SPEAKER. The Chair welcomes a former member of this House, now a councilman in the city of Pittsburgh, the Honorable Thomas J. Gallagher.

Mr. THOMAS J. GALLAGHER. Mr. Speaker and members of the House, it is indeed an honor to be introduced at this session of the General Assembly of Pennsylvania.

I want to say that I am highly pleased with this honor. When we think of what is going on across the waters we should be proud we are Americans, and that we have this great democratic representative form of government.

It reminds me of a story I heard last week told by our welterweight champion of the world, Fritzie Zivic of Pittsburgh. He told a story about a refugee from Holland who was over in Russia. He had a toothache and went to a dentist to get his tooth pulled. The Russian dentist said it would cost him twenty-five dollars.

The refugee from Holland said, "Over in America you can get your tooth pulled for two dollars."

The Russian said, "In America you can open your mouth, I will have to pull your tooth through your ear."

PERMISSION TO USE HALL OF HOUSE

Mr. SCANLON. Mr. Speaker, there was a hearing originally scheduled for the new House Caucus Room at 7:30 this evening, but due to the fact that we have quite a crowd of nurses here I am going to ask permission of the House

bration of Polish Independence Day on May 3rd; and be it further

Resolved, That His Excellency, the Governor of Pennsylvania, shall issue, publish and declare an appropriate proclamation to the people of Pennsylvania, designating for observance this year, the third day of May, as Polish Day.

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

REPORTS FROM COMMITTEES

Mr. MUNLEY, from the Committee on Liquor Control, reported as amended, House Bill No. 854, entitled:

An Act to further amend sections three hundred four and four hundred eleven of the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," further regulating the hours of when sales may be made at Pennsylvania Liquor Stores, and permitting hotel and restaurant licensees to sell by the bottle at certain times, for consumption off the premises.

Mr. FINESTONE, from the Committee on Judiciary General, reported as amended, House Bill No. 579, entitled:

An Act relating to acknowledgments of written instruments and to make uniform the law with relation thereto.

BILLS RE-REFERRED

Mr. READINGER returned from the Committee on State Government with the recommendation that it be re-referred to the Committee on Ways and Means, House Bill No. 82, entitled:

An Act to amend section one thousand one hundred four of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State Government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or, other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to apply license fees or other moneys to the Commonwealth, or any agency thereof,

every State depository and every debtor or creditor of the Commonwealth," amplifying the provisions of said act relating to appeals to court.

The SPEAKER. The bill is re-referred to the Committee on Ways and Means.

Mr. READINGER returned from the Committee on State Government with the recommendation that it be re-referred to the Committee on Ways and Means, House Bill No. 83, entitled:

An Act to further amend section five hundred and three of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth; and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the state; and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by allowing interest on refunds due from the Commonwealth.

The SPEAKER. The bill is re-referred to the Committee on Ways and Means.

Mr. READINGER returned from the Committee on State Government with the recommendation that it be re-referred to the Committee on Ways and Means, House Bill No. 574 (Senate Bill No. 38), entitled:

An Act to amend section one thousand one hundred and four of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," amplifying the provisions of said act relating to appeals to court.

The SPEAKER. The bill is re-referred to the Committee on Ways and Means.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Counties, Wednesday, April 2 at 11:30 a. m. in Room 521.
Dairy Industries, Wednesday, April 2 at 11 a. m. in Room 326.

Education, Wednesday, April 2 at 10:30 a. m. in Room 329.
Game, Tuesday, April 1, immediately after the session in Room 324.

Elections, Tuesday, April 1 after today's session in Room 246.

Municipal Corporations, Tuesday, April 1, immediately after the session in Room 323.

Railroads and Railways, Tuesday, April 1 after the session in Room 522.

State Government, Wednesday, April 2 at 11 a. m. in Room 325.

Welfare, Wednesday, April 2 at 10 a. m. in Room 246.

Workmen's Compensation, Wednesday, April 2 at 11:30 a. m. in Room 522.

There will be a Public Hearing before the Committee on Professional Licensure on House Bill Nos. 462 and 675 on Tuesday, April 1, 1941 at 7:30 p. m. in the Hall of the House.

There will be a Public Hearing before the Committee on Professional Licensure on House Bills Nos. 684, 685 and 707 on Tuesday, April 8, 1941 at 7:30 p. m. in the New House Caucus Room.

There will be a meeting of the Editorial Staff of the "First Termers Dilemma" immediately after the session at the Usual place.

This fighting publication will make its first appearance next week. Watch for it.

ADJOURNMENT

Mr. DENNISON. Mr. Speaker, I move that this House do now adjourn until Wednesday, April 2, 1941, at 12 m.

The motion was agreed to, and at (5:10 p. m.) the House adjourned.