

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

WEDNESDAY, JUNE 29, 1983

SESSION OF 1983

167TH OF THE GENERAL ASSEMBLY

No. 56

HOUSE OF REPRESENTATIVES

The House convened at 11 a.m., e.d.t.

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

PRAYER

REV. BERNHARD A. BISCHOFF, pastor of Zion Lutheran Church, Indiana, Pennsylvania, guest chaplain and guest of the gentleman from Indiana, Mr. Wass, offered the following prayer:

Let us pray:

Blessed are You, O Lord our God, King of the Universe. You made the whole Earth for Your glory; all creation praises You.

We servants of Pennsylvania lift our voices to join the songs of Heaven and Earth, of things seen and unseen. We commend to Your protecting care and compassion the citizens of our Commonwealth now suffering distress and anxiety through lack of work. Support and strengthen them.

Prosper also our counsel and decisionmaking as we legislators order our common life today, that our policies may help to set Your people and their institutions free from want and fear, and enable them to work in security and peace for the relief of their necessities and for the abundance to share with those in need.

All of it we ask in the name of our Lord. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

WELCOME

The SPEAKER. Pastor Bischoff is here together with his wife Janet and their two children, Julie and Paul.

JOURNALS APPROVED

The SPEAKER. The Journals for June 15 and June 20, 1983, are now in print. Unless the Chair hears objection, these Journals will be adopted as printed. The Chair hears no objection.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Tuesday, June 28, 1983, will be postponed until the Journal is in print. The Chair hears no objection.

SENATE MESSAGE

SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on **HB 5, PN 1404**.

BILL SIGNED BY SPEAKER

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

HB 5, PN 1404

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, adding definitions; further providing for certain bonding requirements; restricting the operations of certain combinations; further providing for the length and width of certain vehicles; regulating certification of certain auto inspection mechanics; further providing for certain weight limitations; and requiring axle tax markers.

MASTER ROLL CALL RECORDED

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

The following roll call was recorded:

PRESENT—202

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

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

ADDITIONS—0

NOT VOTING—1

Stevens

EXCUSED—0

LEAVE ADDED—1

Stevens

LEAVE OF ABSENCE GRANTED

The SPEAKER. The Chair turns to leaves of absence. Are there any indications of leaves of absence from the Democratic Party? No indications of leaves.

From the Republican Party? The Chair recognizes the minority whip.

Mr. HAYES. Thank you, Mr. Speaker.

I request leave for the gentleman from Luzerne, Mr. STEVENS, for the day.

The SPEAKER. Without objection, leave is granted. The Chair hears no objection.

COMMUNICATION

LOBBYIST LIST PRESENTED

The SPEAKER. The Chair acknowledges the receipt of the various lobbyists who must register with the Chief Clerk and the Secretary of the Senate under the Lobbying Registration and Regulation Act.

The following communication was read:

Senate of Pennsylvania
June 29, 1983

To the Honorable, The Senate of the Commonwealth of Pennsylvania
To the Honorable, The House of Representatives of the Commonwealth of Pennsylvania

In compliance with Act No. 712 of the 1961 Session and Act No. 212 of the 1976 Session of the General Assembly titled the "Lobbying Registration and Regulation Act," we herewith jointly present a list containing the names and addresses of the persons who have registered from June 1, 1983 through June 28, 1983 inclusive for the 167th Session of the General Assembly. This list also contains the names and addresses of the organizations represented by these registrants.

Respectfully submitted:
Mark R. Corrigan
Secretary of the Senate

John J. Zubeck
Chief Clerk
House of Representatives

(For list, see Appendix.)

JUDICIARY COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Rappaport, who wishes to make an announcement.

Mr. RAPPAPORT. Mr. Speaker, this is a formal announcement of the meeting of the Judiciary Committee which will take place in room B-11, downstairs in the basement with the Republicans, at the call of the luncheon recess by the Speaker.

Mr. Speaker, in addition to those matters that were noticed to the members earlier, we will also take up proposed regulations of the Bureau of Correction, upon which we have the duty to comment under the Regulatory Review Act. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman from Chester, Mr. Morris, wish to be recognized? What does the gentleman wish?

Mr. MORRIS. Thank you, Mr. Speaker.

I just wanted to inform the Chair that during the night they maybe had a practical joker or some PennDOT mechanic in here working on the voting machine, because they shifted the button colors on my switch. So if I vote wrong today, why, you will hear from me.

The SPEAKER. We will watch the vote for you, Sam.

MILITARY AND VETERANS AFFAIRS COMMITTEE MEETING

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

Mr. MRKONIC. Mr. Speaker, at the call of the recess, there will be a brief meeting of the Military and Veterans Affairs Committee in the rear of the House chambers. All members are urged to attend. Thank you.

The SPEAKER. The Chair thanks the gentleman.

STATEMENT BY MR. LETTERMAN

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

Mr. LETTERMAN. To read a statement, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman.

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I would like to take this opportunity to tell you about a significant event that is occurring in my legislative district.

The 76th District is made up of one township in Lycoming County, one township in Clearfield County, four boroughs and nine townships in Centre County, and all of Clinton County.

Clinton County is located a little bit north of the center of the State. The West Branch of the Susquehanna River runs through the center of the county.

Parts of Lycoming and Centre Counties were cut off to create Clinton County by an act of the General Assembly of June 21, 1839. The building of the West Branch Canal in 1834 and the Sunbury and Erie Railroad in 1859 aided greatly in the growth of population and industry. The interest in canals is expressed in the name of the county, for it honors Gov. DeWitt Clinton of New York State, who was a promoter of both the Erie Canal and internal improvements. The canal he advocated followed the lower border of our neighboring State to the north and was called Clinton Ditch.

Clinton County is rich in history dating prior to the Revolution. It was a great gathering place for various Indian tribes, three of which inhabited what is now known as the Great Island in the middle of the Susquehanna River. Two great Indian federations, the Algonquin and the Iroquois, were among them.

Although mountainous, the county has great resources of minerals, bituminous coal, clay, limestone, and flagstone. However, agriculture has developed on a large scale, and lumber industries are very important.

Lock Haven is the seat of county government, the hub to which residents of the county go to trade and the home of Lock Haven University, Piper Aircraft Corporation, and the most productive facility of Hammermill Paper Company. Conrail and major highways such as the Appalachian Thruway and Interstate 80 converge at Lock Haven and provide excellent transportation facilities.

Hunting, fishing, hiking, and 210 miles of trails on State game lands for snowmobiling and cross-country skiing provide sport for residents and visitors alike, while making tourism one of its chief industries.

Jeremiah Church is credited with being the father of the county. He settled at Lock Haven in October of 1833, laid out the town, and started a movement to make it the county seat. After 6 years he succeeded when the General Assembly passed a bill. It was Church, a native of New York State, who suggested the county be named Clinton.

Lock Haven acquired its name because the canal provided a lock and the river a haven for great numbers of timber rafts from upstate. Lock Haven was a favorite place for raftsmen to tie up on their journeys downstream to Williamsport, Harrisburg, Marietta, and other places where the rafts were sold. The community figured largely in the rafting days. It was the terminus of the canal and an important shipping point.

Currently Lock Haven is celebrating their sesquicentennial, 150 days for 150 years. The kickoff of the celebration was on Saturday, April 9, 1983, and will be ending at the completion of the Lock Haven Area Jaycees Labor Day Regatta. Numerous events since April have taken place, and more are scheduled throughout the celebration. On June 28, 1983, a rocking chair marathon was completed with Naomi Johnson of Philipsburg, Pennsylvania, the winner, having rocked 4 minutes short of 69 hours.

To me, the sesquicentennial celebration is significant and marks 150 years of community life, growth, and development. During these 150 years, the people of Lock Haven have faced and overcome many problems, a trait which extends from their early pioneer roots.

I would like to invite you, as my colleagues, to join us in future sesquicentennial events in Lock Haven, Pennsylvania.

As a friend to Lock Haven in Clinton County, I want to present to you, Mr. Speaker, both a bronze commemorative medal and special postal cancellation which have been prepared for the sesquicentennial celebration. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Speaker is honored to receive the bronze medal and wishes the record to show that since the Speaker has been here, I think now for 25 years, some of the most pleasant, instructive, and beneficial hours that I have spent were spent in Lock Haven, where I came to know the honesty of its people, their devotion to the ethic of pure hard work, and their determination to remain independently honest. Those characteristics which we like to think of as American are truly represented in the population of Lock Haven. Consequently, I take the honor of receiving this medal not lightly, but sincerely say that it will stay with my mementos of my career here in the House of Representatives. I thank the citizens of Lock Haven.

WELCOME

The SPEAKER. We would like to welcome to the hall of the House the Chartiers-Windgap Civic Association. They are here from Pittsburgh, and they are here as the guests of Representative Petrone.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair has given permission for Darryl Oblack of the Courier Express to take still photography for a period of 10 minutes on the floor of the House.

CITATION PRESENTED

The SPEAKER. The Chair at this time turns the gavel over to Representative Ruth Rudy, who wishes to present a very special citation.

Mrs. RUDY. Would Representative Herman please come forward, also?

Thank you, Mr. Speaker, for this opportunity.

Dr. John W. Oswald, president of the Pennsylvania State University, will be retiring tomorrow, June 30, and at this time Representative Lynn Herman and myself would like to present a citation congratulating him on his many years of excellent service, which I would like to read at this time.

COMMONWEALTH OF PENNSYLVANIA
CITATION BY
THE HOUSE OF REPRESENTATIVES

Whereas, Dr. John W. Oswald is retiring as thirteenth President of the Pennsylvania State University following a long and distinguished career as an educator and administrator; and

Whereas, During his tenure more than three million square feet of building space has been added on the twenty-two campuses, including fifty-four major buildings; enrollment increased from 46,000 students to more than 57,000 students; and the Renaissance Program, the Penn State Scholars Program, and the Penn State Fund Council were established. He also expanded the Evan Pugh Research Professorships in his efforts to achieve excellence at the Pennsylvania State University. As President of the Association of American Universities, he led the first delegation from an American university to China.

Now therefore, the House of Representatives of the Commonwealth of Pennsylvania extends hearty congratulations to Dr. John W. Oswald on his retirement and wishes him the best in his future endeavors.

Thank you.

WELCOMES

The SPEAKER. The Chair is also delighted to welcome to the hall of the House the guests of Representative Robert Godshall - Sue Gorski and Jeanne Dunlap. They are aides at his home office.

Representative Ray Book has here as his guests Mr. and Mrs. Harold Connell and Mr. and Mrs. John Pape. They are all of Bethel Park.

CALENDAR**BILL AGREED TO
ON SECOND CONSIDERATION**

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

SB 666, PN 748.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **SB 827, PN 1011**, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1983 to June 30, 1984, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1983; and providing for an appropriation for the fiscal year July 1, 1983 to June 30, 1984 from the State Lottery Fund for aging programs.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that SB 827, PN 1011, be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that the following bills be removed from the tabled calendar and placed on the active calendar:

HB 1027;
HB 1028;
HB 1029;
HB 1030;
HB 1031;
HB 1032;
HB 1033;
HB 1034;
HB 1035;
HB 1036;
HB 1037;
HB 1038;
HB 1039;
HB 1040;
HB 1041;
HB 1042;
HB 1043;
HB 1044;
HB 1045;
HB 1046;
HB 1047;
HB 1048;
HB 1049;
HB 1050;
HB 1051;
HB 1052;
HB 1053;

HB 1054;
 HB 1055;
 HB 1056;
 HB 1057;
 HB 1058;
 HB 1059;
 HB 1060;
 HB 1061;
 HB 1062;
 HB 1063;
 HB 1064;
 HB 1065;
 HB 1066;
 HB 1067;
 HB 1068; and
 HB 1069.

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

The SPEAKER. This is for the leaders' ears particularly, so they know what is going on. The bills which have just been removed from the table are the nonpreferreds. In order that they may be voted on tomorrow, they must be read for the second time today. In order to do that, it is necessary to suspend the rules.

RULES SUSPENDED

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that the rules of the House be temporarily suspended so the list of nonpreferred bills may be given second consideration today.

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

BILLS AGREED TO ON SECOND CONSIDERATION

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

HB 1027, PN 1184; HB 1028, PN 1185; HB 1029, PN 1186;
 HB 1030, PN 1187; HB 1031, PN 1188; HB 1032, PN 1189;
 HB 1033, PN 1190; HB 1034, PN 1191; HB 1035, PN 1192;
 HB 1036, PN 1193; HB 1037, PN 1194; HB 1038, PN 1195;
 HB 1039, PN 1196; HB 1040, PN 1197; HB 1041, PN 1198;
 HB 1042, PN 1199; HB 1043, PN 1200; HB 1044, PN 1201;
 HB 1045, PN 1202; HB 1046, PN 1203; HB 1047, PN 1204;
 HB 1048, PN 1205; HB 1049, PN 1206; HB 1050, PN 1207;
 HB 1051, PN 1208; HB 1052, PN 1209; HB 1053, PN 1210;
 HB 1054, PN 1211; HB 1055, PN 1212; HB 1056, PN 1213;
 HB 1057, PN 1214; HB 1058, PN 1215; HB 1059, PN 1216;
 HB 1060, PN 1217; HB 1061, PN 1218; HB 1062, PN 1219;
 HB 1063, PN 1220; HB 1064, PN 1221; HB 1065, PN 1222;

HB 1066, PN 1223; HB 1067, PN 1224; HB 1068, PN 1225;
 and HB 1069, PN 1226.

HOUSE SCHEDULE

The SPEAKER. The Chair now advises the members on both sides of the aisle, it is the intention of the Chair to call up for final passage the nonpreferred bills, four of which are ready to be voted on this afternoon. The list of bills which the Chair has read will be on third consideration tomorrow, and I am informed by the majority leader that he has had a change of heart; he is not going to ask us to be in here at midnight tonight. That was my idea, and he has changed my heart on that one. But he is going to ask that we report on the floor early tomorrow, the time of which will be announced.

So we shall be voting after caucus today on the four major nonpreferred bills, the four State-related universities, and tomorrow on all the other nonpreferreds which are on the calendar. Both Republicans and Democrats are strongly urged to attend your caucus so that you may know how you are going to vote on these bills and know what they are about. We do not wish to be delayed in the voting of these bills. We shall be in session tomorrow. We may be in session beyond that.

PARLIAMENTARY INQUIRY

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

Mr. DAVIES. Mr. Speaker, a parliamentary inquiry.

My understanding of past rules has always been that for suspension of the rules, Mr. Speaker, is it not necessary, be it temporary or for any extended period of time, that it would require a roll-call vote?

The SPEAKER. Unless there would be objection, and the Chair heard no objection to the method it chose.

Mr. DAVIES. Thank you, Mr. Speaker.

The SPEAKER. Just to make sure that the gentleman understands and all the members understand, if the Chair tries to shortcut the method and if a member objects, then the Chair will go back to the longer method. But as long as there is no objection and we can save time, the Chair will sometimes shortcut.

HOUSE BILL INTRODUCED AND REFERRED

No. 1294 By Representatives DeWEESE, PIEVSKY,
 J. L. WRIGHT, GREENWOOD and
 HAGARTY

A Supplement to the act of entitled "An act providing for the capital budget for fiscal year 1983-1984," itemizing transportation assistance projects to be acquired or constructed by the Department of Transportation together with its estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the project; stating the estimated useful life of the project; and making an appropriation.

Referred to Committee on APPROPRIATIONS, June 29, 1983.

WELCOME

The SPEAKER. The Chair welcomes to the hall of the House Mr. and Mrs. Larry Devine and their son Patrick. Mr. Devine is the new superintendent of the Iroquois Schools in Lawrence Park, Erie County. They are here as the guests of Representative Bowser and Representative Dombrowski.

COMMUNICATION FROM GOVERNOR

BILL SIGNED BY GOVERNOR

The SPEAKER. Ordinarily, any communication from His Excellency, the Governor, will be read either by the Speaker or the clerk. This particular communication has a very important, special meaning to all the members of the House and to one member in particular.

The Chair invites the young gentleman from Carbon, Keith McCall, to come to the podium to read this particular communication from His Excellency, the Governor.

A communication from His Excellency, the Governor, which Representative Keith McCall will read into the record.

Mr. McCALL. Thank you, Mr. Speaker.

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

I have the honor to inform you that I have this day approved and signed House Bill 550, Printer's No. 617, entitled "AN ACT designating the Lehighon-Weissport Bridge, Route 209, Carbon County, as the Thomas J. McCall Memorial Bridge."

Dick Thornburgh
Governor

COMMUNICATION FROM GOVERNOR

BILL SIGNED BY GOVERNOR

The Secretary to the Governor presented the following communication from His Excellency, the Governor:

APPROVAL OF HB No. 352.

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

June 28, 1983

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

I have the honor to inform you that I have this day approved and signed House Bill 352, Printer's No. 396, entitled "AN ACT changing the name of the 'Glasgow Bridge' in Beaver County to the 'Bridge of the Northwest Territory'."

Dick Thornburgh
Governor

HOUSE BILLS INTRODUCED AND REFERRED

No. 1284 By Representatives DeLUCA, KASUNIC, TRELLO, DALEY, SEVENTY, CESSAR, WAMBACH, TRUMAN, OLASZ, DUFFY, COWELL, MARKOSEK, MAYERNIK, DOMBROWSKI, DAWIDA, PRESTON, FATTAH, RICHARDSON, RIEGER, CAPPABIANCA, KOSINSKI, SALVATORE, WESTON, BOOK, McVERRY, MARMION, BURD, GODSHALL, TELEK, AFFLERBACH, HALUSKA, McHALE, COLAFELLA, COLE, FREEMAN, BELFANTI, POTT, SALOOM, FEE, MICHLOVIC, GAMBLE, CLARK, RUDY and BALDWIN

An Act amending the "State Lottery Law," approved August 26, 1971 (P. L. 351, No. 91) further providing for the purpose of the act, the powers and duties of the Secretary of Revenue and the disposition of funds; and making editorial changes.

Referred to Committee on FINANCE, June 29, 1983.

No. 1285 By Representatives BURNS, J. L. WRIGHT, STUBAN, LUCYK, LAUGHLIN, GALLAGHER, McCALL, DURHAM, ARTY, REINARD and CLYMER

An Act amending the "Senior Citizens Rebate and Assistance Act," approved March 11, 1971 (P. L. 104, No. 3), providing for an energy credit.

Referred to Committee on FINANCE, June 29, 1983.

No. 1286 By Representative REBER

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), authorizing the sale of wine in kegs.

Referred to Committee on LIQUOR CONTROL, June 29, 1983.

No. 1287 By Representatives FREIND, COHEN, MORRIS, NOYE, VROON, PITTS, O'BRIEN, KOSINSKI, MRKONIC, DUFFY, GANNON, GAMBLE, CIMINI, PRATT, JOHNSON, WOGAN, CLYMER, REINARD, GLADECK, FLICK, ANGSTADT, CIVERA, MICOZZIE, ARTY, RYAN, HAYES, A. C. FOSTER, JR. and DAVIES

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for the free speech of candidates for elected office.

Referred to Committee on JUDICIARY, June 29, 1983.

No. 1288 By Representatives CLARK, BOWSER, OLASZ, STAIRS, PETRARCA, DOMBROWSKI, J. L. WRIGHT, BURNS, WILSON, CAPPABIANCA, F. E. TAYLOR and DONATUCCI

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for exceptions to assessment of points.

Referred to Committee on TRANSPORTATION, June 29, 1983.

No. 1289 By Representatives LAUGHLIN, IRVIS, BURNS, CLARK, COHEN, PERZEL, LETTERMAN, SEVENTY, BOWSER, LESCOVITZ, OLIVER, PISTELLA, COLE, GALLAGHER, FEE, MISCEVICH, WAMBACH, DOMBROWSKI, HUTCHINSON, CAWLEY, TIGUE, VAN HORNE, COLAFELLA, RICHARDSON, OLASZ, McCALL, STEWART, SALVATORE and ITKIN

An Act amending Title 40 (Insurance) of the Pennsylvania Consolidated Statutes, further providing for professional dental health service corporations and for the liability of professional health service corporations.

Referred to Committee on CONSUMER AFFAIRS, June 29, 1983.

No. 1290 By Representatives CORDISCO, MRKONIC, MANMILLER, JOHNSON, CAPPABIANCA and DURHAM

An Act creating the Veterans Home and Health Care Commission as a temporary body to develop detailed proposals for the creation of a State Veterans Home and Health Care Facility in Eastern Pennsylvania and to submit a report of its findings, recommendations and proposed legislation to the General Assembly.

Referred to Committee on MILITARY AND VETERANS AFFAIRS, June 29, 1983.

No. 1291 By Representatives McVERRY, OLIVER, SPENCER, SWEET, MARMION, WAMBACH, STEVENS, WOGAN, MICHLOVIC, COLAFELLA, MADIGAN, R. C. WRIGHT, GAMBLE, BURD, CESSAR, BOOK, KENNEDY, RICHARDSON, GREENWOOD, BOWSER, WACHOB, ARTY, SEMMEL, PISTELLA, FARGO, E. Z. TAYLOR, MORRIS, SAURMAN, PETERSON, BUNT, HAGARTY and POTT

An Act amending Titles 1 (General Provisions), 42 (Judiciary and Judicial Procedure) and 62 (Procurement) of the Pennsylvania Consolidated Statutes, adding provisions relating to procurement; and making repeals.

Referred to Committee on JUDICIARY, June 29, 1983.

SENATE BILLS FOR CONCURRENCE

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

SB 590, PN 654

Referred to Committee on HEALTH AND WELFARE, June 29, 1983.

SB 702, PN 790

Referred to Committee on LOCAL GOVERNMENT, June 29, 1983.

HOUSE RESOLUTION INTRODUCED AND REFERRED

No. 115 By Representatives GEORGE, MURPHY, STEIGHNER, SHOWERS, McHALE, JAROLIN, MORRIS, CAPPABIANCA, KOWALYSHYN, FREEMAN, RYBAK and MICHLOVIC

Amending House Resolution No. 29, Printer's No. 249, by changing the effective date of the committee's report.

Referred to Committee on RULES, June 29, 1983.

BILLS SIGNED BY SPEAKER

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

SB 471, PN 518

An Act amending the act of June 12, 1968 (P. L. 173, No. 94), entitled "Cooperative Agricultural Association Act," further providing for dividends.

SB 795, PN 924

An Act amending the act of November 30, 1976 (P. L. 1207, No. 265), entitled "Emergency Medical Services Systems Act," extending the expiration date of the act.

RULES COMMITTEE MEETING AND HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the Committee on Rules will meet immediately upon the declaration of the recess. Very important matters will be discussed, so I want all the members of the Rules Committee to be there.

In addition, Mr. Speaker, I want to caution the members that there will be votes this afternoon on the mortgage foreclosure bill that may well be controversial, and all members should plan to attend so that important piece of legislation would be fashioned by the amendment process in the manner in which they would desire that it be fashioned, and that can only be accomplished if all members are present. We will be running amendments to the mortgage foreclosure bill, again, some of which may well be controversial; and again, the Rules Committee meeting upon the declaration of the recess, Mr. Speaker.

DEMOCRATIC CAUCUS

The SPEAKER. Would the majority leader advise the Chair how long a recess he requests and when the caucus will be.

Mr. MANDERINO. Mr. Speaker, when the Chair declares the recess this afternoon, I would ask that the recess be until 3 o'clock and that the caucus of the Democratic members begin promptly at 1 o'clock. So we will be in caucus for the purpose of going over the nonpreferreds, the amendments thus far drafted to HB 500, which is the mortgage foreclosure bill, and all the nonpreferreds that we expect to run tomorrow.

The SPEAKER. The Chair thanks the gentleman.

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. LAUGHLIN presented the Report of the Committee of Conference on SB 128, PN 1082.

REPUBLICAN CAUCUS

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

Mr. NOYE. Thank you, Mr. Speaker.

The Republicans will caucus in the caucus room at 1:30. I would ask the members to be there. There is a lengthy list of amendments to HB 500 which we want to cover thoroughly before we come back on the floor at 3. Republican caucus at 1:30.

The SPEAKER. The Chair thanks the gentleman.

WELCOME

The SPEAKER. The Chair welcomes to the hall of the House Bob Logue and Nick Stipanovich, who are the Toll Road Task Force. Nick is the uncle of Representative Dawida. We welcome him here.

Nick, I have known you a long time. I did not know I had your nephew here with me. I will have to take better care of him.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. There will be a Republican caucus promptly at 1:30; Democratic caucus promptly at 1 o'clock.

The Speaker has to keep the desk open in order to refer certain bills to committee. There is no need for the members to remain further on the floor. The Speaker will drop the gavel and reconvene the session promptly at 3 p.m.

HOUSE BILLS INTRODUCED AND REFERRED

No. 1301 By Representatives BARBER, WACHOB, HOEFFEL, BELOFF, IRVIS, MILLER, HARPER, FATTAH, WIGGINS, STAIRS,

ZWIKL, F. E. TAYLOR, MRKONIC, SALOOM, CIMINI, KOSINSKI, STEIGHNER, MICHLOVIC, CIVERA, ALDERETTE, ANGSTADT, MICOZZIE, MANDERINO, JOHNSON, GRUPPO, LASHINGER, PRATT, DeLUCA, J. L. WRIGHT, MORRIS, HALUSKA, FREEMAN, PRESTON, MAIALE, CALTAGIRONE, CLARK, COLE, BELFANTI, KUKOVICH, GALLAGHER, JAROLIN, RYBAK, DOMBROWSKI, COY, SHOWERS, PISTELLA, COHEN, STEIGHNER, RUDY, SEVENTY, FISCHER, E. Z. TAYLOR, TRUMAN, McCALL, OLIVER, RICHARDSON, STUBAN and DAWIDA

An Act establishing a program of pharmaceutical assistance to the aged; providing further duties of the Department of Aging; and making an appropriation.

Referred to Committee on HEALTH AND WELFARE, June 29, 1983.

No. 1302 By Representatives BARBER, WACHOB, HOEFFEL, BELOFF, IRVIS, MILLER, HARPER, FATTAH, WIGGINS, STAIRS, ZWIKL, F. E. TAYLOR, MRKONIC, SALOOM, CIMINI, KOSINSKI, STEIGHNER, MICHLOVIC, CIVERA, ALDERETTE, ANGSTADT, MICOZZIE, MANDERINO, JOHNSON, GRUPPO, LASHINGER, PRATT, DeLUCA, J. L. WRIGHT, MORRIS, HALUSKA, FREEMAN, PRESTON, MAIALE, CALTAGIRONE, CLARK, COLE, BELFANTI, KUKOVICH, GALLAGHER, JAROLIN, RYBAK, DOMBROWSKI, COY, SHOWERS, PISTELLA, COHEN, STEIGHNER, RUDY, SEVENTY, FISCHER, E. Z. TAYLOR, TRUMAN, McCALL, OLIVER, RICHARDSON, STUBAN and DAWIDA

An Act amending the "State Lottery Law," approved August 26, 1971 (P. L. 351, No. 91), further providing certain prescription drug payments for certain persons.

Referred to Committee on HEALTH AND WELFARE, June 29, 1983.

No. 1303 By Representatives BARBER, WACHOB, HOEFFEL, BELOFF, IRVIS, MILLER, McCALL, KASUNIC, TRUMAN, HARPER, FATTAH, MANDERINO, FATTAH, WIGGINS, ITKIN, RICHARDSON, STUBAN, OLIVER, DeLUCA, SHOWERS, PISTELLA, COHEN, STEIGHNER, RUDY, SEVENTY, ALDERETTE, MICHLOVIC, F. E. TAYLOR, FARGO, E. Z. TAYLOR,

ANGSTADT, ZWIKL, SALOOM,
MICOZZIE, JOHNSON, GRUPPO,
LASHINGER, FISCHER, J. L. WRIGHT,
MORRIS, HALUSKA, FREEMAN,
PRESTON, MAIALE, CALTAGIRONE,
CLARK, COLE, BELFANTI, KUKOVICH,
GALLAGHER, JAROLIN, RYBAK, COY,
KOSINSKI, CIMINI, MRKONIC, CIVERA
and DAWIDA

An Act establishing the Senior Center Grant Program; providing for grants to senior centers; imposing powers and duties on the Department of Aging; and making an appropriation.

Referred to Committee on HEALTH AND WELFARE,
June 29, 1983.

No. 1304 By Representatives BARBER, WACHOB,
HOEFFEL, BELOFF, IRVIS, MILLER,
McCALL, KASUNIC, TRUMAN,
HARPER, FATTAH, MANDERINO,
FATTAH, WIGGINS, ITKIN,
RICHARDSON, STUBAN, OLIVER,
DeLUCA, SHOWERS, PISTELLA,
COHEN, STEIGHNER, RUDY,
SEVENTY, ALDERETTE, MICHLOVIC,
F. E. TAYLOR, FARGO, E. Z. TAYLOR,
ANGSTADT, ZWIKL, SALOOM,
MICOZZIE, JOHNSON, GRUPPO,
LASHINGER, FISCHER, J. L. WRIGHT,
MORRIS, HALUSKA, FREEMAN,
PRESTON, MAIALE, CALTAGIRONE,
CLARK, COLE, BELFANTI, KUKOVICH,
GALLAGHER, JAROLIN, RYBAK, COY,
KOSINSKI, CIMINI, MRKONIC, CIVERA
and DAWIDA

An Act amending the "State Lottery Law," approved August 26, 1971 (P. L. 351, No. 91), providing for funding for the Senior Center Grant Program.

Referred to Committee on HEALTH AND WELFARE,
June 29, 1983.

No. 1305 By Representatives HOEFFEL, BARBER,
WACHOB, BELOFF, IRVIS, MILLER,
McCALL, KASUNIC, TRUMAN,
HARPER, FATTAH, MANDERINO,
FATTAH, WIGGINS, ITKIN,
RICHARDSON, STUBAN, OLIVER,
DeLUCA, SHOWERS, PISTELLA,
COHEN, STEIGHNER, RUDY,
SEVENTY, ALDERETTE, MICHLOVIC,
F. E. TAYLOR, FARGO, E. Z. TAYLOR,
ANGSTADT, ZWIKL, SALOOM,
MICOZZIE, JOHNSON, GRUPPO,
LASHINGER, FISCHER, J. L. WRIGHT,
MORRIS, HALUSKA, FREEMAN,
PRESTON, MAIALE, CALTAGIRONE,
CLARK, COLE, BELFANTI, KUKOVICH,
GALLAGHER, JAROLIN, RYBAK, COY,

KOSINSKI, CIMINI, MRKONIC,
CIVERA, DOMBROWSKI and DAWIDA

An Act to require the Department of Aging to provide home-based care as an alternative to nursing home or other institutional care; and making an appropriation.

Referred to Committee on HEALTH AND WELFARE,
June 29, 1983.

No. 1306 By Representatives HOEFFEL, BARBER,
WACHOB, BELOFF, IRVIS, MILLER,
McCALL, KASUNIC, TRUMAN,
HARPER, FATTAH, MANDERINO,
FATTAH, WIGGINS, ITKIN,
RICHARDSON, STUBAN, OLIVER,
DeLUCA, SHOWERS, PISTELLA,
COHEN, STEIGHNER, RUDY,
SEVENTY, ALDERETTE, MICHLOVIC,
F. E. TAYLOR, FARGO, E. Z. TAYLOR,
ANGSTADT, ZWIKL, SALOOM,
MICOZZIE, JOHNSON, GRUPPO,
LASHINGER, FISCHER, J. L. WRIGHT,
MORRIS, HALUSKA, FREEMAN,
PRESTON, MAIALE, CALTAGIRONE,
CLARK, COLE, BELFANTI, KUKOVICH,
GALLAGHER, JAROLIN, RYBAK, COY,
KOSINSKI, CIMINI, MRKONIC,
CIVERA, DOMBROWSKI and DAWIDA

An Act amending the "State Lottery Law," approved August 26, 1971 (P. L. 351, No. 91), providing for funding in-home and community service for the elderly.

Referred to Committee on HEALTH AND WELFARE,
June 29, 1983.

No. 1307 By Representatives HOEFFEL, BARBER,
WACHOB, BELOFF, IRVIS, MILLER,
McCALL, KASUNIC, TRUMAN,
HARPER, FATTAH, MANDERINO,
FATTAH, WIGGINS, ITKIN,
RICHARDSON, STUBAN, OLIVER,
DeLUCA, SHOWERS, PISTELLA,
COHEN, STEIGHNER, RUDY,
SEVENTY, ALDERETTE, MICHLOVIC,
F. E. TAYLOR, FARGO, E. Z. TAYLOR,
ANGSTADT, ZWIKL, SALOOM,
MICOZZIE, JOHNSON, GRUPPO,
LASHINGER, FISCHER, J. L. WRIGHT,
MORRIS, HALUSKA, FREEMAN,
PRESTON, MAIALE, CALTAGIRONE,
CLARK, COLE, BELFANTI, KUKOVICH,
GALLAGHER, JAROLIN, RYBAK, COY,
KOSINSKI, CIMINI, MRKONIC,
CIVERA, DOMBROWSKI and DAWIDA

An Act amending the "Senior Citizens Rebate and Assistance Act," approved March 11, 1971 (P. L. 104, No. 3), increasing the maximum amount of rebate payable.

Referred to Committee on HEALTH AND WELFARE,
June 29, 1983.

No. 1308 By Representatives HOFFFEL, BARBER, WACHOB, BELOFF, IRVIS, MILLER, McCALL, KASUNIC, TRUMAN, HARPER, FATTAH, MANDERINO, FATTAH, WIGGINS, ITKIN, RICHARDSON, STUBAN, OLIVER, DeLUCA, SHOWERS, PISTELLA, COHEN, STEIGHNER, RUDY, SEVENTY, ALDERETTE, MICHLOVIC, F. E. TAYLOR, FARGO, E. Z. TAYLOR, ANGSTADT, ZWIKL, SALOOM, MICOZZIE, JOHNSON, GRUPPO, LASHINGER, FISCHER, J. L. WRIGHT, MORRIS, HALUSKA, FREEMAN, PRESTON, MAIALE, CALTAGIRONE, CLARK, COLE, BELFANTI, KUKOVICH, GALLAGHER, JAROLIN, RYBAK, COY, KOSINSKI, CIMINI, MRKONIC, CIVERA, DOMBROWSKI and DAWIDA

An Act amending the "Senior Citizens Rebate and Assistance Act," approved March 11, 1971 (P. L. 104, No. 3), increasing the inflation dividend.

Referred to Committee on HEALTH AND WELFARE,
June 29, 1983.

No. 1309 By Representatives WACHOB, BARBER, HOFFFEL, BELOFF, IRVIS, MILLER, McCALL, KASUNIC, TRUMAN, HARPER, FATTAH, MANDERINO, FATTAH, WIGGINS, ITKIN, RICHARDSON, STUBAN, OLIVER, DeLUCA, SHOWERS, PISTELLA, COHEN, STEIGHNER, RUDY, SEVENTY, ALDERETTE, MICHLOVIC, F. E. TAYLOR, FARGO, E. Z. TAYLOR, ANGSTADT, ZWIKL, SALOOM, MICOZZIE, JOHNSON, GRUPPO, LASHINGER, FISCHER, J. L. WRIGHT, MORRIS, HALUSKA, FREEMAN, PRESTON, MAIALE, CALTAGIRONE, CLARK, COLE, BELFANTI, KUKOVICH, GALLAGHER, JAROLIN, RYBAK, COY, KOSINSKI, CIMINI, MRKONIC, CIVERA, DOMBROWSKI and DAWIDA

An Act amending the "Pennsylvania Urban Mass Transportation Law," approved January 22, 1968 (P. L. 42, No. 8), providing free fare services for persons 65 years of age or older for shared ride public transportation services; and reimbursing mass transportation systems at 100% of the costs of services provided to persons 65 years of age or older.

Referred to Committee on HEALTH AND WELFARE,
June 29, 1983.

RECESS

The SPEAKER. This House stands in recess until 3 p.m.

AFTER RECESS

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

SENATE BILL FOR CONCURRENCE

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

SB 706, PN 1058

Referred to Committee on LABOR RELATIONS, June 29, 1983.

LABOR RELATIONS COMMITTEE MEETING

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

Mr. COHEN. Mr. Speaker, I would like to call a committee meeting.

The SPEAKER. The Chair recognizes the gentleman, who is calling a committee meeting. At what room?

Mr. COHEN. Mr. Speaker, there will be a committee meeting in room 401 of the Labor Relations Committee. The meeting will be at 3:15.

The SPEAKER. The meeting is extremely important. All members of the Labor Relations Committee ought to report at 3:15 to room 401.

Mr. COHEN. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

BILL REREPORTED FROM COMMITTEE

HB 989, PN 1436

By Rep. MANDERINO

An Act authorizing the release of Project 70 restrictions imposed on certain lands owned by the Erie County Authority in return for the imposition of Project 70 restrictions on certain lands owned by the County of Erie and requiring certain easements.

RULES.

RESOLUTIONS REPORTED FROM COMMITTEE

HR 101, PN 1329 (Concurrent)

By Rep. MANDERINO

The General Assembly urges the Governor to proclaim the month of July as "Buy American Month."

RULES.

HR 102, PN 1330 (Concurrent)

By Rep. MANDERINO

Designating the month of July as "Buy American Month."

RULES.

HR 115, PN 1522

By Rep. MANDERINO

Amending House Resolution No. 29, Printer's No. 249, by changing the effective date of the committee's report.

RULES.

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

HB 88, PN 97

By Rep. KOSINSKI

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the temporary assignment of Philadelphia Municipal Court judges.

JUDICIARY.

HB 1290, PN 1521

By Rep. MRKONIC

An Act creating the Veterans Home and Health Care Commission as a temporary body to develop detailed proposals for the creation of a State Veterans Home and Health Care Facility in Eastern Pennsylvania and to submit a report of its findings, recommendations and proposed legislation to the General Assembly.

MILITARY AND VETERANS AFFAIRS.

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

Mr. RAPPAPORT. Mr. Speaker, the gentleman from Philadelphia, Mr. Williams, has a bill to report from Judiciary. I do not see him on the floor now, but I trust that you will recognize him when he appears on the floor. Thank you, sir.

The SPEAKER. The Chair thanks the gentleman. The Chair will so recognize him.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1026, PN 1513**, entitled:

A Supplement to the act of July 7, 1972 (P. L. 743, No. 176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; *** providing for preference to Pennsylvania residents in tuition; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Lincoln University;" making appropriations to Lincoln University; providing for a basis for payments of the appropriations; and providing a method of accounting for the funds appropriated.

On the question,

Will the House agree to the bill on third consideration?

BILL RECOMMITTED

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

Mr. PIEVSKY. Mr. Speaker, I move that HB 1026, PN 1513, be recommitted to the Committee on Appropriations.

On the question,

Will the House agree to the motion?

Motion was agreed to.

APPROPRIATIONS COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Pievsky, for purposes of calling an Appropriations meeting.

Mr. PIEVSKY. Thank you, Mr. Speaker.

Mr. Speaker, there will be a brief meeting of the Appropriations Committee in the majority caucus room immediately. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

HB 1137, PN 1306

By Rep. WILLIAMS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, adding an offense and providing a penalty.

JUDICIARY.

ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I submit the following additions and deletions of sponsors for the record.

ADDITIONS:

HB 227, Book; HB 382, B. Smith, Davies; HB 525, Broujos; HB 602, Geist; HB 624, Geist; HB 666, Book; HB 937, Miller; HB 938, Davies; HB 950, McVerry; HB 1132, Preston, Noye; HB 1178, Pratt; HB 1203, Preston, Semmel; HB 1213, Burns; HB 1215, Clymer; HB 1218, Klingaman; HB 1236, Laughlin; HB 1244, Mrkonic; HB 1246, Angstadt; HR 17, Weston; HR 76, Weston; HR 112, DeLuca.

DELETIONS:

HB 35, Hasay; HB 93, Geist; HB 568, E. Z. Taylor; HB 914, Kosinski; HB 1150, Linton; HB 1248, Bunt.

WELCOMES

The SPEAKER. Representative Kosinski has some very distinguished guests here today. Judge Michael Bednarek and his wife, Eleanor Bednarek, and Edward Chanel are here as the guests of the new member from Philadelphia. Thank you for being here.

We are delighted to welcome to the hall of the House two guests who are here courtesy of Representative Robert Robbins. They are Jean Hodge, president of the council of Greenville Borough, and Marie Julian, borough manager of Greenville Borough.

BILL REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

SB 706, PN 1075 (Amended)

By Rep. COHEN

An Act amending the act of December 5, 1936 (2nd Sp. Sess., 1937 P. L. 2897, No. 1), entitled "Unemployment Compensation Law," further providing for eligibility for benefits during education or job training; and providing for eligibility of volunteer firemen while attending fire and safety courses.

LABOR RELATIONS.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. MANDERINO. Mr. Speaker, I move that SB 706, reported from the Committee on Labor Relations, be removed from the table and placed on the active calendar.

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

BILLS REREPORTED FROM COMMITTEES

HB 1026, PN 1523 (Amended)

By Rep. PIEVSKY

A Supplement to the act of July 7, 1972 (P. L. 743, No. 176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; *** providing for preference to Pennsylvania residents in tuition; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Lincoln University," making appropriations to Lincoln University; providing for a basis for payments of the appropriations; and providing a method of accounting for the funds appropriated.

APPROPRIATIONS.

HB 1290, PN 1521 By Rep. MANDERINO

An Act creating the Veterans Home and Health Care Commission as a temporary body to develop detailed proposals for the creation of a State Veterans Home and Health Care Facility in Eastern Pennsylvania and to submit a report of its findings, recommendations and proposed legislation to the General Assembly.

RULES.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 500, PN 1227**, entitled:

An Act providing for emergency mortgage assistance for homeowners.

On the question,
Will the House agree to the bill on third consideration?
Mr. TAYLOR offered the following amendments No. A1910:

Amend Sec. 3, page 2, line 18, by inserting after "act."
Within 60 days of the effective date of this act, the secretary shall promulgate and adopt regulations for the implementation of the provisions of this act.

Amend Sec. 4, page 3, line 9, by striking out "MORTGAGE" and inserting mortgagee

Amend Sec. 4, page 3, line 11, by inserting after "PAYMENTS"

for the first time after the adoption of the guidelines required by subsection (b) or who has been delinquent prior to such adoption of the guidelines,

Amend Sec. 5, page 5, line 7, by inserting after "SOURCE."
Any applicant who intentionally misrepresents any financial information in conjunction with the filing of an application for assistance under this act may be denied assistance or required to immediately repay any amount of assistance made as a result of such misrepresentation.

(8) The mortgagee is not prevented by law from foreclosing upon the mortgage.

Amend Sec. 5, page 5, line 10, by inserting after "mortgagor" where it appears the first time

and money is available in the Homeowners' Emergency Mortgage Assistance Fund

Amend Sec. 5, page 5, line 11, by inserting after "6."

If the secretary determines that a mortgagor has not met the conditions of eligibility described in subsection (a), the mortgagor shall be prohibited from reapplying for assistance under this act for a period of 12 months from the date of such determination unless there is a material change in circumstances.

Amend Sec. 6, page 5, lines 16 and 17, by striking out "IF MONEY IS AVAILABLE IN THE HOMEOWNERS' EMERGENCY MORTGAGE ASSISTANCE FUND, PAYMENTS" and inserting

Payments

Amend Sec. 6, page 5, line 22, by inserting after "mortgage." Assistance payments shall be in an amount which, together with payments required to be made by the mortgagor to the mortgagee under this section, will equal the full amount of the payments due under the terms of the mortgage or the full amount of such alternative payments as may have been agreed to under section 5(a)(6) and shall include the amount of arrearages to be amortized pursuant to the provisions of this section.

Amend Sec. 6, page 5, line 27, by inserting after "ARREARAGES,"

including interest thereon at the note rate,

Amend Sec. 6, page 5, line 28, by inserting after "MORTGAGE"

or such shorter period as is mutually agreeable

Amend Sec. 6, page 5, line 29, by inserting after "TERM"

if agreed to by the mortgagee and mortgagor

Amend Sec. 6, page 6, line 1, by inserting after "act"

which may be incurred by reason of failure to make payments during the period between the date of filing of an application for assistance and the date when assistance payments are provided

Amend Sec. 6, page 6, line 17, by removing the period after "ASSISTANCE" and inserting and the mortgagee may at any time take any legal action to enforce the mortgage without any further restriction or requirement under this act. If the delinquency is the result of a change in the mortgagor's financial circumstances, the secretary shall increase the assistance payments by an amount equal to the amount of the delinquency and by such additional amounts for future payments as may be found necessary for full payments on the mortgage under the provisions of this section.

Amend Sec. 6, page 6, line 23, by inserting after "taxes." "Household income" means the total income of a husband, wife and children residing in the same household as the applicant and any other resident of the household declared by the mortgagor as a dependent for Federal tax purposes.

Amend Sec. 6, page 7, line 2, by inserting after "months" , either consecutively or nonconsecutively,

Amend Sec. 6, page 7, line 14, by inserting after "require." The priority of any lien obtained by the Commonwealth under this act shall be determined in the same manner as the lien of a general secured creditor of the mortgagor.

Amend Sec. 6, page 9, by inserting between lines 2 and 3

(f) Financial institutions.—A financial institution shall not be deemed to be in violation of any statute, regulation or rule of supervisory authorities by reason of any agreement, forbearance or modification of the payment or other terms of a mortgage as an effect of the assistance program or by reason of actions taken or not taken pursuant to the program. No mortgage loan as to which assistance payments are being made shall be deemed to be delinquent or classified as such by supervisory authorities during the continuance of such assistance payments.

Amend Sec. 8, page 9, line 11, by inserting after "foreclosure"

and mortgage terms

Amend Sec. 8, page 10, by inserting after line 22

(d) Other terms of mortgage.—A mortgagor applying for or receiving assistance shall observe and perform all the terms, covenants and conditions of the mortgage, including without limitation payment of taxes, maintenance of fire and extended coverage insurance and escrow payments for such purposes unless included as part of the assistance payment.

Amend Sec. 11, page 11, line 25, by striking out "PROVIDE RELIEF" and inserting grant assistance

Amend Bill, page 11, line 28, by removing the period after "FUND" and inserting : Provided, however, That any mortgagor who begins receiving assistance under this act shall be entitled to the full assistance such mortgagor would be otherwise entitled to. Section 12. Insufficient funds.

The provisions of this act shall not be applicable to any mortgage which becomes delinquent at any time when the State Homeowners' Emergency Mortgage Assistance Fund does not have money currently available to enable the secretary to approve applications for emergency mortgage assistance. It shall be the duty of the secretary to publish an announcement immediately upon a determination that the amount of such fund does not have the money available to approve additional applications. The State Treasurer shall have the duty to advise the secretary not less frequently than once each calendar quarter of the amount available in the fund. In the event that the fund becomes insufficient to approve applications for emergency mortgage assistance, the secretary shall immediately publish an announcement to that effect and mortgagees shall no longer be subject to the provisions of this act.

Amend Sec. 12, page 11, line 29, by striking out "12" and inserting

13

Amend Sec. 12, page 11, line 30, by inserting after "immediately"

upon the initial provision of money to the State Homeowners' Emergency Mortgage Assistance Fund through appropriations.

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

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

Mr. Speaker, A1910 is an amendment agreed to because of the necessity of clarifying language in the bill. This is an agreed-to amendment, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—195

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

Donatucci Letterman Reinard Irvis,
Dorr Levi Richardson Speaker
Duffy

NAYS—0

NOT VOTING—7

Gannon Morris Sirianni Wilson
Moehlmann Peterson Sweet

EXCUSED—1

Stevens

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

On the question,

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

Mr. AFFLERBACH offered the following amendments No. A1997:

Amend Bill, page 11, by inserting between lines 28 and 29 Section 12. Expiration of statute.

This act, other than the provisions contained in sections 6(d) and (e) and 9, shall expire in three years, except that mortgage assistance shall continue to be made available to mortgagors who were deemed eligible for mortgage assistance prior to the expiration of this act in accordance with the terms of this act.

Amend Sec. 12, page 11, line 29, by striking out "12" and inserting

13

On the question,

Will the House agree to the amendments?

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

Mr. AFFLERBACH. Thank you, Mr. Speaker.

This amendment, very briefly, simply puts a sunset date on the act. The sunset date would be 3 years from the date of enactment. I do not think we should be passing an open-ended program. I think we have a responsibility to place a sunset on this type of act, and I would ask support for the amendment.

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

I agree with that amendment. I have no opposition to it.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, I have a sunset amendment and I have not seen Representative Afflerbach's amendment. I wonder if he would stand for brief interrogation.

The SPEAKER. The gentleman, Mr. Afflerbach, indicates he will so stand. The gentleman, Mr. Smith, is in order and may proceed.

Mr. L. E. SMITH. Mr. Speaker, I apologize. I have not seen your amendment. Would you explain the sunset provisions?

Mr. AFFLERBACH. I certainly would. Actually, let me read the amendment; it is very self-explanatory. "This act, other than the provisions contained in sections 6(d) and (e) and 9, shall expire in three years, except that mortgage assis-

tance shall continue to be made available to mortgagors who were deemed eligible for mortgage assistance prior to the expiration of this act in accordance with the terms of this act."

Mr. L. E. SMITH. Mr. Speaker?

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

Mr. L. E. SMITH. I thank the gentleman. I support the amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—197

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

NAYS—1

Freeman

NOT VOTING—4

DeVerter Gannon Herman Sirianni

EXCUSED—1

Stevens

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

On the question recurring,

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

Mr. L. E. SMITH offered the following amendment No. A0919:

Amend Sec. 5, page 5, by inserting between lines 7 and 8

(8) The secretary has determined, based on the mortgagor's financial statement, that the mortgagor has insufficient household income or net worth to correct the delinquency within a reasonable period of time, or make full mortgage payments.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, this amendment is designed to require the Secretary to use the financial disclosure statement which is already a part of the legislation. The Secretary would be required then to ascertain whether the applicant's financial statement indicates an inability to correct the mortgage delinquency within a reasonable period or to make full mortgage payments. We think this is a necessary amendment, because it very well could be that someone with a great deal of money could qualify for this program simply because the Secretary is not required to use the financial statement in determining eligibility.

The SPEAKER. The Chair thanks the gentleman.

On the Smith amendment, the Chair recognizes the gentleman from Fayette, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

I would have to oppose the amendment on the grounds that the present language in the bill conforms with all the HUD (Department of Housing and Urban Development) descriptions and criteria, and under the HUD criteria that have been in existence since the middle 1970's, they have had only about a 20-percent acceptance to it. So as a result, to make this even more stringent, I think, would be a disservice to those people out there who may be eligible. I would have to oppose the amendment on that ground - that we already have the HUD criteria in the bill.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Beaver, Mr. Laughlin.

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

The SPEAKER. The gentleman, Mr. Smith, indicates he will so stand. The gentleman, Mr. Laughlin, is in order and may proceed.

Mr. LAUGHLIN. Mr. Speaker, with regard to your amendment, I note that you are talking here about insufficient household income and this is to be a judgmental decision based by the Secretary of the department. Mr. Speaker, do you agree that insufficient income comes about because of unemployment in this situation?

Mr. L. E. SMITH. Yes.

Mr. LAUGHLIN. Well, then, Mr. Speaker, could you please tell me how the Secretary would be able to define what the opportunities of employment for this gentleman might be in 2 weeks or 3 weeks or a month, that he would be able to find a job and then certainly be able to assume any additional payments that might be called on?

Mr. L. E. SMITH. Mr. Speaker, there is nothing in here that this amendment addresses dealing with unemployment. It is simply the financial disclosure statement that is required by the applicant. Now, let us take a hypothetical. Let us just suppose that a man has worked in a steel mill in Beaver County at a salary of \$25,000 a year, and over the years he has been very frugal and he has saved himself \$250,000. He has \$250,000 in the bank, but he becomes unemployed. He does not care to make his mortgage payments, so he applies for this program. If the financial disclosure statement is not used in determining eligibility, there is no way of knowing what that person has in cash reserves.

Mr. LAUGHLIN. Mr. Speaker, the gentleman's argument of a \$250,000 income—

The SPEAKER. The Chair must interrupt Mr. Laughlin. Is the gentleman through with his interrogation?

Mr. LAUGHLIN. No, Mr. Speaker, I am not, but I certainly feel I have to respond to that answer.

The SPEAKER. The Chair grants the gentleman that privilege.

Mr. LAUGHLIN. Mr. Speaker, if the gentleman's amendment has as much validity as his argument has, it certainly deserves no votes in this House, and I would ask for a "no" vote on Mr. Smith's amendment. There is no one I know out there who has \$250,000 who is going to make an application for this mortgage help or aid, and I do not believe there is any Secretary who can respond to me about what the potential of employment is for any of our people who will be seeking this help. So, Mr. Speaker, I will conclude the interrogation and merely ask for a "no" vote on the amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Smith, wish to make an additional reference? The Chair recognizes the gentleman.

Mr. L. E. SMITH. Mr. Speaker, there is no requirement for potential employment in the financial disclosure statement that is submitted by the applicant. The financial disclosure statement deals with assets and liabilities, and nothing about the potential for employment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—102

Angstadt	Flick	McClatchy	Robbins
Armstrong	Foster, W. W.	McVerry	Rudy
Arty	Foster, Jr., A.	Mackowski	Ryan
Baldwin	Freind	Madigan	Saloom
Belardi	Gallen	Maiale	Salvatore
Book	Gannon	Manmiller	Saurman
Bowser	Geist	Marmion	Scheetz
Boyes	Gladeck	Merry	Schuler
Brandt	Godshall	Micozzie	Semmel
Bunt	Greenwood	Miller	Serafini
Burd	Grieco	Moehlmann	Showers
Burns	Gruppo	Mowery	Sirianni
Cessar	Hagarty	Nahill	Smith, B.
Cimini	Hasay	Noye	Smith, L. E.
Civera	Hayes	O'Brien	Snyder, D. W.
Clymer	Herman	Perzel	Snyder, G. M.
Cornell	Hershey	Peterson	Spitz
Coslett	Honaman	Phillips	Swift
Coy	Jackson	Piccola	Taylor, E. Z.
DeVerter	Johnson	Pitts	Vroon
Davies	Kennedy	Pott	Wass
Dietz	Klingaman	Punt	Weston
Dininni	Lashinger	Rappaport	Wogan
Dorr	Lehr	Reber	Wright, J. L.
Durham	Levi	Reinard	Wright, R. C.
Fargo	Lloyd		

NAYS—97

Afflerbach	Duffy	Lucyk	Seventy
Alderette	Evans	McCall	Stairs
Barber	Fattah	McHale	Steighner
Battisto	Fee	McIntyre	Stewart
Belfanti	Fischer	McMonagle	Stuban
Beloff	Freeman	Manderino	Sweet
Blaum	Fryer	Markosek	Taylor, F. E.
Broujos	Gallagher	Mayernik	Telek
Caltagirone	Gamble	Michlovic	Tigue
Cappabianca	George	Miscevich	Trello
Carr	Gruitza	Morris	Truman
Cawley	Haluska	Mrkonic	Van Horne
Clark	Harper	Murphy	Wachob
Cohen	Hoeffel	O'Donnell	Wambach
Colafella	Itkin	Olasz	Wargo
Cole	Jarolin	Oliver	Wiggins
Cordisco	Kasunic	Petrarca	Williams
Cowell	Kosinski	Petrone	Wilson
Deluca	Kowalshyn	Pievsky	Wozniak
DeWeese	Kukovich	Pistella	Wright, D. R.
Daley	Laughlin	Pratt	Zwinkl
Dawida	Lescovitz	Preston	
Deal	Letterman	Richardson	Irvis,
Dombrowski	Levin	Rieger	Speaker
Donatucci	Linton	Rybak	

NOT VOTING—3

Hutchinson Livengood Spencer

EXCUSED—1

Stevens

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

REMARKS ON VOTE

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

Mr. HERMAN. Mr. Speaker, sorry to interrupt, but I did not receive a copy of the Afflerbach amendment A1997, and as a result, I did not vote. I would like to be recorded in the affirmative on amendment 1997 to HB 500.

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

CONSIDERATION OF HB 500 CONTINUED

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

Mr. L. E. SMITH offered the following amendment No. A0921:

Amend Sec. 8, page 10, line 10, by striking out "shall be temporarily stayed" and inserting
may be stayed by courts of common pleas upon petition of the mortgagor

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

The SPEAKER. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, I would like to yield to my attorney, Representative Spencer, who has some comments on the constitutionality of this amendment.

The SPEAKER. The gentleman, Mr. Smith, yields the floor to the gentleman, Mr. Spencer. The Chair recognizes the gentleman from Tioga, Mr. Spencer.

Mr. SPENCER. Thank you, Mr. Speaker.

As the bill is now written, it would stay all writs of execution that are before the courts today, at the time the act becomes effective. To me, this violates two provisions of the Constitution: one is the intrusion by the legislature into the judicial process in which a writ has been issued by a court of competent jurisdiction; and more importantly, it seems to violate the no ex post facto law of the Constitution, which says that no law impairing the obligation of a contract shall be passed. This amendment simply states that the mortgagor shall petition the court for a stay so it remains in the proper legal and judicial process and is not violative of the Constitution. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, on the Smith amendment, the gentleman from Westmoreland, Mr. Kukovich.

Mr. KUKOVICH. Mr. Speaker, I would ask for a "no" vote on the amendment for a number of reasons.

As this bill was being drafted, as it went through the committee process, as different amendments and changes were made and the fine-tuning process continued, one of the things we were concerned about was adding a number of unnecessary steps to the process - what would drag it down, what would bog it down. This adds that step. It adds time to the process.

We are not sure what criteria would be used, if there would be the statutory criteria, the court's criteria. It also causes a financial problem, because it is another burden for the homeowner—who is already disadvantaged—to carry by going to court on this matter, and it basically puts us right back to the position we are in now, the situation where the courts are backlogged with these kinds of cases, where the courts have

said publicly and in letters to us that they are waiting for the General Assembly to act. This is not an unfair intrusion. What we are doing is trying to solve a problem, and this amendment deters us from that solution. I would appreciate a "no" vote, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—99

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

NAYS—100

Afflerbach	Duffy	Lloyd	Rybak
Alderette	Evans	Lucyk	Saloom
Baldwin	Fattah	McCall	Seventy
Barber	Fee	McHale	Showers
Battisto	Freeman	McIntyre	Steighner
Belfanti	Fryer	McMonagle	Stewart
Beloff	Gallagher	Manderino	Stuban
Blaum	Gamble	Markosek	Sweet
Caltagirone	George	Mayernik	Taylor, F. E.
Cappabianca	Gruitza	Michlovic	Telek
Carn	Haluska	Miscevich	Tigue
Cawley	Harper	Morris	Trello
Clark	Hoeffel	Mrkonic	Truman
Cohen	Hutchinson	Murphy	Van Horne
Colafella	Itkin	O'Donnell	Wachob
Cole	Jarolin	Olasz	Wambach
Cordisco	Kasunic	Oliver	Wargo
Cowell	Kosinski	Petrone	Wiggins
Coy	Kowalshyn	Pievsky	Williams
Deluca	Kukovich	Pistella	Wozniak
DeWeese	Laughlin	Preston	Wright, D. R.
Daley	Lescovitz	Rappaport	Zwilk
Dawida	Letterman	Richardson	
Deal	Levin	Rieger	Irvis,
Dombrowski	Linton	Rudy	Speaker
Donatucci	Livengood		

NOT VOTING—3

Maiale	Pratt	Wright, R. C.
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EXCUSED—1

Stevens

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

On the question recurring,

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

Mr. L. E. SMITH offered the following amendments No. A0920:

Amend Sec. 5, page 3, line 15, by inserting after "Requirements.—"

Assistance under this act shall be limited to first lien mortgages on residential real estate.

Amend Sec. 5, page 3, line 16, by striking out "a mortgage" and inserting
such first lien mortgages

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, this is an effort to confine this program to first mortgages only. Most of the foreclosure activity has been with first mortgages. Because we are dealing with a very limited sum of money, if the program were confined to first mortgages, it would guarantee that more people would have the benefit of the limited funds that are available. And when I say "limited funds," I am saying that a couple of communities in Allegheny and Beaver Counties could probably wipe this program out once it is in motion. So we are asking that we might limit this to first mortgages.

The SPEAKER. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Fayette, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

I have to rise in opposition to this. One could best describe this as the big bank's bailout, getting all the money under the first-mortgage clause. There are many instances of people out there who have taken out second mortgages in order to keep their first mortgage current. We ought to allow them the latitude, after counseling has taken place, to pick the mortgage that they want to apply to, because there are lots of incidents where the second mortgages are in default, and if we restrict it strictly to the first mortgage, we are going to have additional problems. I think that this bill is designed to help those people in areas where they need help, and that may well be on the second mortgage or the mortgage that they choose. We say that they are allowed to apply it to one mortgage and let them make that choice. Everybody does not just have a single mortgage on their property.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. LETTERMAN. Mr. Speaker, I rise in opposition to this amendment. The main reason for my opposition is this: If we only honor the first mortgagee, what it would do in essence

is say to the second mortgagee that you only have one option, and that is to foreclose. If we keep this open to both of them, then the people have the option of which one they would like to select themselves, and I think that is the proper way for it to go. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. BURNS. Thank you, Mr. Speaker.

I wonder if Mr. Taylor would stand for just a quick interrogation.

The SPEAKER. The gentleman, Mr. Taylor, indicates he will so stand. The gentleman, Mr. Burns, is in order and may proceed.

Mr. BURNS. Mr. Speaker, take a person like myself, whose wife handles all these dealings and I am not the expert in financial affairs, and let us suppose I wanted to buy a 42-foot sailboat. I do not have the money to buy a 42-foot sailboat, but I really want one, and I decide I want it badly enough that I go out and buy this sailboat by taking a second mortgage on my property, and then sometime after I buy the sailboat and have the second mortgage which paid for the sailboat, I default on my mortgage. I am asking this question: Are you saying then that I can come out and go to the State and get bailed out under the terms of this bill for buying this 42-foot sailboat by getting a second mortgage on my home and then defaulting on the second mortgage?

Mr. TAYLOR. Not you, Mr. Speaker, because you are not unemployed.

Mr. BURNS. Well, okay.

Mr. TAYLOR. If you were unemployed, following your scenario— Okay, we will follow your scenario, and I will try to take you to the conclusion of that scenario. What has happened, as adequately described by you, is that is where we are calling for mandatory counseling in the bill. We have found that through the counseling agencies that have used this, especially in Action Housing in Pittsburgh and the Unemployment Council in Bucks County and the Philadelphia area, those people do have to make some readjustment in the financial structure of their home. If the mortgage is still there on the house and if that mortgagor becomes unemployed, in most instances, after proper counseling, he would have that equity to sell. If that did not then justify it, then there would be nothing to stop him from applying so long as he was unemployed or underemployed, and he could then use that to apply on the second mortgage. He has a choice, either the first or second, and he may well be keeping the first mortgage current.

Mr. BURNS. But my point, Mr. Speaker, is this: Going along with the scenario, with all these tax votes coming up, there is a good chance I might be unemployed 2 years from now or a year and a half from now, and with that in mind, I could go out right now and buy a boat—I am employed right now and I could buy that 42-foot sailboat—and I could take a second mortgage on my house. I could sail around on that boat for the next year, but in case I was unemployed a year

from now, then I would simply go to this State agency, whatever it specifies in the bill, and I would say, hey, I am unemployed, number one; I have got this second mortgage and I cannot afford it, and therefore, I am coming in for help. I could take all the counseling in the world and still enjoy the benefits of getting a State program paid for by all the taxpayers of the State while I sail on my 42-foot sailboat.

Mr. TAYLOR. Not necessarily. I think what we have found, after visiting Pittsburgh, the practicality of it is that these people do recognize they have a financial problem in their home, and then they make every opportunity to liquidate that liability and turn it into an asset so that they can restructure their financial condition. As you well know, if you are unemployed, you are going to have to make that decision anyway. What the counseling will do and what this does in effect is it says to them, now, you have certain things that you are going to have to give up, and one of those may be your sailboat and you may not be able to sail around on it, because if you do not, you may not get yourself into the program.

Mr. BURNS. Okay. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman, Mr. Burns, for the purpose of making a statement on the amendment.

Mr. BURNS. Thank you, Mr. Speaker.

I can only say that I personally, as I look at this portion of the bill, cannot agree with it. There is nothing in the bill that makes me accept the counseling that is given, and it seems to me that I could be riding around on a sailboat being paid for, really, by the people of Pennsylvania who are out working every day and paying their taxes. I just cannot see that, and for that reason I would support Mr. Smith's amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, on the amendment, the gentleman from Berks, Mr. Gallen.

Mr. GALLEN. Mr. Speaker, I would like to interrogate Mr. Taylor, please.

The SPEAKER. The gentleman, Mr. Taylor, says he will stand for interrogation. The gentleman, Mr. Gallen, is in order and may proceed.

Mr. GALLEN. Mr. Speaker, earlier several amendments went into this bill, and I do not know whether one of your amendments or one of Mr. Smith's amendments had anything to do with unemployment. Did your amendment address the unemployment issue in any way?

Mr. TAYLOR. The major amendment that I put in? We deal with unemployed and underemployed.

Mr. Speaker, are you interrogating me on Mr. Smith's amendment or an amendment that went in before? The subject—

Mr. GALLEN. I was just trying to— I am interrogating you on Mr. Smith's amendment.

Mr. TAYLOR. It is not my amendment, Mr. Speaker. This is Mr. Smith's.

Mr. GALLEN. I understand that, but I wanted to clear something up in my own mind before I asked you a question concerning this amendment.

Mr. Speaker, in your answer to Mr. Burns, you used the word "unemployed" about 11 times. I do not think that this bill really is restricted to unemployed people. Am I right in that?

Mr. TAYLOR. You are right. It is underemployed and unemployed.

Mr. GALLEN. And?

Mr. TAYLOR. And underemployed.

Mr. GALLEN. And is it not also those people who are in such financial condition that they cannot make their mortgage payments?

Mr. TAYLOR. No. You are debating the bill, not the amendment. If you want to get into the bill, we will get into that later, but we have got an amendment before us.

Mr. GALLEN. No. I am addressing this amendment, Mr. Speaker.

That is the end of the interrogation, Mr. Speaker.

On this bill, Mr. Speaker, and this amendment regarding second mortgages, Mr. Burns is exactly right. Many people can go and borrow money for almost any reason and get a second mortgage on their house, whether they buy a boat or some other luxury item or indeed something that is necessary, a new heating system or something that is necessary for their home. But, Mr. Speaker, I think Mr. Taylor, by using the word "unemployed" in his response to Mr. Burns, has misrepresented even this amendment, because this bill and this amendment and indeed second mortgages have nothing to do necessarily with people who are unemployed. It is people who cannot make mortgage payments, first- or second-mortgage payments, due to circumstances beyond their control.

Mr. Speaker, I think Mr. Burns is right. This amendment should be adopted.

Mr. TAYLOR. Mr. Speaker, in response—

The SPEAKER. The gentleman, Mr. Gallen, has concluded his interrogation. The gentleman, Mr. Taylor, is in order and may proceed.

Mr. TAYLOR. I will just make this very brief, because the scenario that Mr. Burns described, I believe, in his opening remarks said that he was unemployed, so I addressed that answer to that part of it. If one wanted to carry this to the other area, they would not necessarily have to have a second mortgage. They could have gone out and taken out a first mortgage and used that first-mortgage money to buy the sailboat. So really, I think the argument is fallacious, and I think we ought to vote against the amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—95

Angstadt	Flick	Lehr	Reber
Armstrong	Foster, W. W.	Levi	Reinard
Arty	Foster, Jr., A.	McClatchy	Robbins
Belardi	Freind	McVerry	Ryan
Blaum	Fryer	Mackowski	Saloom
Book	Gallen	Madigan	Salvatore
Bowser	Gannon	Maiale	Saurman

Boyes	Geist	Manmiller	Scheetz
Brandt	Gladeck	Marmion	Schuler
Broujos	Godshall	Merry	Semmel
Bunt	Greenwood	Micozzie	Serafini
Burd	Grieco	Miller	Sirianni
Burns	Gruppo	Moehlmann	Smith, B.
Cessar	Hagarty	Mowery	Smith, L. E.
Cimini	Hasay	Nahill	Snyder, G. M.
Civera	Hayes	Noye	Spencer
Clymer	Herman	O'Brien	Spitz
Cornell	Hershey	Perzel	Swift
Coslett	Honaman	Peterson	Taylor, E. Z.
DeVerter	Jackson	Phillips	Vroon
Davies	Johnson	Piccola	Wass
Dietz	Kennedy	Pitts	Weston
Dininni	Klingaman	Punt	Wogan
Durham	Lashinger	Rappaport	

NAYS—105

Afflerbach	Evans	Lucyk	Seventy
Alderette	Fargo	McCall	Showers
Baldwin	Fattah	McHale	Snyder, D. W.
Barber	Fee	McIntyre	Stairs
Battisto	Fischer	McMonagle	Steighner
Belfanti	Freeman	Manderino	Stewart
Beloff	Gallagher	Markosek	Stuban
Caltagirone	Gamble	Mayernik	Sweet
Cappabianca	George	Michlovic	Taylor, F. E.
Carn	Gruitza	Miscevich	Telek
Cawley	Haluska	Morris	Tigue
Clark	Harper	Mrkonic	Truman
Cohen	Hoeffel	Murphy	Van Horne
Colafella	Hutchinson	O'Donnell	Wachob
Cole	Itkin	Olasz	Wambach
Cordisco	Jarolin	Oliver	Wargo
Cowell	Kasunic	Petrarca	Wiggins
Coy	Kosinski	Petrone	Williams
Deluca	Kowalyshyn	Pievsky	Wilson
DeWeese	Kukovich	Pistella	Wozniak
Daley	Laughlin	Pott	Wright, D. R.
Dawida	Lescovitz	Pratt	Wright, J. L.
Deal	Letterman	Preston	Zwinkl
Dombrowski	Levin	Richardson	
Donatucci	Linton	Rieger	Irvis,
Dorr	Livengood	Rudy	Speaker
Duffy	Lloyd	Rybak	

NOT VOTING—2

Trello Wright, R. C.

EXCUSED—1

Stevens

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

REMARKS ON VOTE

The SPEAKER. For what purpose does the gentleman from Mifflin, Mr. DeVerter, rise?

Mr. DeVERTER. Mr. Speaker, in checking the printout on amendment A1997 to HB 500, I note that I am not voted. What happened I do not know, but it is on the sunset provision, and I would like to be voted in the affirmative, please.

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

CONSIDERATION OF HB 500 CONTINUED

On the question recurring,

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

Mr. L. E. SMITH offered the following amendment No. A1707:

Amend Sec. 6, page 7, line 14, by inserting after "require." The lien or other security interest of the Commonwealth shall not be deemed to take priority over any other lien or security interest in effect against the mortgagor's property on the date assistance payments begin.

On the question,

Will the House agree to the amendment?

AMENDMENT PASSED OVER TEMPORARILY

The SPEAKER. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, I would like to pass this amendment over temporarily. I have been advised by the majority that we may be able to work something out on the passage of this amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

Mr. L. E. SMITH offered the following amendment No. A0945:

Amend Sec. 6, page 6, line 5, by striking out "35%" and inserting
45%

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, this is another attempt to leverage the existing money and help more people. In the contribution of income that is included in the passage of the bill, the figure that is used is 35 percent of net effective income. We are attempting to move that from 35 percent to 45 percent.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Fayette, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

I rise in opposition to the amendment, basically because once again the criteria established in the bill of 35 percent is what HUD uses as a criterion for disposable income that can be used toward payment toward their mortgage.

I think they have used this 35 percent basically because it is a percentage figure that banks use in first agreeing whether they are going to give you a loan or not. They use the 35 percent of your income as a way of judging whether they will approve you for a loan.

To raise this to 45 percent I think would exclude a tremendous amount of people from the program and also make it

very difficult for those people who by chance would get in under the 45 percent and would have very little left in their income with which to buy food and clothing. I think it is a very restrictive amendment, and I would ask for opposition to the amendment, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, would the gentleman stand for brief interrogation?

Mr. TAYLOR. Yes, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Taylor, indicates he will so stand. The gentleman, Mr. Smith, is in order and may proceed.

Mr. L. E. SMITH. Mr. Speaker, would the gentleman further explain what is considered by the bank in the 35-percent figure that he referred to?

Mr. TAYLOR. In the total amount—I know that from my experience, I do not know about your experience, but my experience in going to a bank is they want to know that if you can support that mortgage, you would have to have 35 percent left after your other expenses in order to support that mortgage for the term of it. In other words, we are saying in our amendment that if that be the case, then they ought to be able to use 35 percent of their household income toward paying of that mortgage. If financial conditions change during that time, then the Secretary would have the obligation to rereview those people and then increase their amount of money that they would have coming to them.

The 45 percent, for all practical purposes, as far as I am concerned, would exclude a tremendous amount of people out there who are right now suffering the agony of the possibility of losing their homes. I think that it would be absolutely unconscionable to put that burden on them.

Mr. L. E. SMITH. Mr. Speaker, in further interrogation, are you saying that the 35-percent figure you have referred to includes maintenance and utilities when a bank is considering a mortgage?

Mr. TAYLOR. Well, I believe that since the midseventies, Mr. Speaker, HUD has used the 35 percent as a criterion. I think to muddle this up to put 45 percent in it would absolutely put us in an improper position, because these mortgages that are being supported, as you well know and I know, most banks do not keep their mortgages. They do not keep their mortgages. They sell them, and when they are selling those mortgages, they have established ahead of time that 35 percent of that effective income should go toward the support of that mortgage. If we raise this to 45 percent, I think it flies in the face of HUD's regulations and HUD's definition of what they should do in forbearance and everything else.

Mr. L. E. SMITH. Mr. Speaker, I would ask the gentleman to address this question: In the 35-percent figure that you referred to, what specific items are you including in the 35 percent? Are you including maintenance, insurance, utilities, taxes, and so forth, or are they in addition to the 35 percent you referred to?

Mr. TAYLOR. No. As you well know, the payment that would be made by the State on their mortgage would include the taxes, the insurance; all of those things would be included in part of their payment. We say in the bill that you are paying the mortgage payment plus the insurance and taxes. So that would not be part of it. We are talking about shelter, clothing; we are talking about necessary income to support that house with food and things like that.

Mr. L. E. SMITH. Mr. Speaker, just one further question. When the bank looks at that 35-percent figure, do they include insurance, taxes, maintenance, utilities?

Mr. TAYLOR. Utilities, hazard insurance. So when they put the package together—

Mr. L. E. SMITH. Do they include those items?

Mr. TAYLOR. Yes.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—98

Angstadt	Foster, W. W.	McVerry	Rudy
Armstrong	Foster, Jr., A.	Mackowski	Ryan
Arty	Freind	Madigan	Salvatore
Belardi	Gallen	Manmiller	Saurman
Book	Gannon	Marmion	Scheetz
Bowser	Geist	Merry	Schuler
Boyes	Gladeck	Micozzie	Semmel
Brandt	Godshall	Miller	Serafini
Bunt	Greenwood	Moehlmann	Smith, B.
Burd	Grieco	Mowery	Smith, L. E.
Burns	Gruppo	Nahill	Snyder, D. W.
Cessar	Hagarty	Noye	Snyder, G. M.
Cimini	Hasay	O'Brien	Spencer
Civera	Hayes	Perzel	Spitz
Clymer	Herman	Peterson	Stairs
Cornell	Hershey	Phillips	Swift
Coslett	Honaman	Piccola	Taylor, E. Z.
DeVerter	Jackson	Pitts	Vroon
Davies	Johnson	Pott	Wachob
Deal	Kennedy	Punt	Wass
Dietz	Klingaman	Reber	Weston
Dininni	Lashingner	Reinard	Wogan
Dorr	Lehr	Richardson	Wright, J. L.
Fargo	Levi	Robbins	Wright, R. C.
Flick	McClatchy		

NAYS—102

Afflerbach	Evans	Lloyd	Rybak
Alderette	Fattah	Lucyk	Saloom
Baldwin	Fee	McCall	Seventy
Barber	Fischer	McHale	Showers
Battisto	Freeman	McIntyre	Sirianni
Beloff	Fryer	McMonagle	Steighner
Blaum	Gallagher	Maiale	Stewart
Broujos	Gamble	Manderino	Stuban
Caltagirone	George	Markosek	Sweet
Cappabianca	Gruitza	Mayernik	Taylor, F. E.
Carn	Haluska	Michlovic	Telek
Cawley	Harper	Miscevich	Tigue
Clark	Hoeffel	Morris	Trello
Colafella	Hutchinson	Mrkonc	Truman
Cole	Itkin	Murphy	Van Horne
Cordisco	Jarolin	O'Donnell	Wambach
Cowell	Kasunic	Olasz	Wargo
Coy	Kosinski	Oliver	Wiggins
Deluca	Kowalyszyn	Petrarca	Williams
DeWeese	Kukovich	Petrone	Wilson
Daley	Laughlin	Pievsky	Wozniak

Dawida	Lescovitz	Pistella	Wright, D. R.
Dombrowski	Letterman	Pratt	Zwikl
Donatucci	Levin	Preston	
Duffy	Linton	Rappaport	Irvis,
Durham	Livengood	Rieger	Speaker

NOT VOTING—2

Belfanti Cohen

EXCUSED—1

Stevens

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

On the question recurring,

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

Mr. L. E. SMITH offered the following amendments No. A0917:

Amend Sec. 6, page 7, line 29, by striking out "35%" and inserting

45%

Amend Sec. 6, page 8, line 1, by striking out "35%" and inserting

45%

Amend Sec. 6, page 8, line 7, by striking out "35%" and inserting

45%

Amend Sec. 6, page 8, line 9, by striking out "35%" and inserting

45%

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, this amendment deals with the same figures, moving from 35 to 45 percent on the total housing costs for the repayment schedule.

The SPEAKER. Will the gentleman yield for a moment.

Is the gentleman, Mr. Smith, informing the Chair that A0917 duplicates an earlier amendment in part?

Mr. L. E. SMITH. No, Mr. Speaker. We have not received that from the Legislative Reference Bureau.

Mr. TAYLOR. You have it in front of us.

Mr. L. E. SMITH. Oh, no. It deals with another section of the bill, Mr. Speaker.

The SPEAKER. Another section of the bill. We thank the gentleman.

REMARKS ON VOTE

The SPEAKER. On the question, the Chair recognizes the gentleman from Philadelphia, Mr. Deal.

Mr. DEAL. Mr. Speaker, I did not want to respond to this amendment. I did want to make a comment about the previous amendment in regard to my vote.

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

Mr. DEAL. Mr. Speaker, somehow there was a mistake on my vote. I tried to correct it, and somehow the mechanism

will not change itself. I would like to show that I voted in the negative on amendment A0945 to HB 500.

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

Mr. DEAL. Thank you, Mr. Speaker.

CONSIDERATION OF HB 500 CONTINUED

The SPEAKER. On the question, the Chair recognizes the gentleman from Fayette, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

I rise in opposition to it basically using the same argument. I think that once again it would be a severe hardship on those people who would be able to get into the program, and I would ask for a negative vote.

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

The following roll call was recorded:

YEAS—91

Angstadt	Foster, Jr., A.	McClatchy	Rudy
Armstrong	Freind	McVerry	Ryan
Arty	Gallen	Mackowski	Salvatore
Book	Gannon	Madigan	Saurman
Bowser	Geist	Manmiller	Scheetz
Boyes	Gladeck	Marmion	Schuler
Brandt	Godshall	Merry	Semmel
Bunt	Greenwood	Micozzie	Serafini
Burd	Grieco	Miller	Sirianni
Cessar	Gruppo	Moehlmann	Smith, B.
Cimini	Hagarty	Mowery	Smith, L. E.
Civera	Hasay	Nahill	Snyder, G. M.
Clymer	Hayes	Noye	Spencer
Cornell	Herman	O'Brien	Spitz
Coslett	Hershey	Perzel	Swift
DeVertter	Honaman	Peterson	Taylor, E. Z.
Davies	Jackson	Phillips	Vroon
Dietz	Johnson	Piccola	Wass
Dininni	Kennedy	Pitts	Weston
Dorr	Klingaman	Pott	Wogan
Fargo	Lashingner	Reber	Wright, J. L.
Flick	Lehr	Reinard	Wright, R. C.
Foster, W. W.	Levi	Robbins	

NAYS—109

Afflerbach	Duffy	Lloyd	Rybak
Alderette	Durham	Lucyk	Saloom
Baldwin	Evans	McCall	Seventy
Barber	Fattah	McHale	Showers
Battisto	Fee	McIntyre	Snyder, D. W.
Belardi	Fischer	McMonagle	Stairs
Belfanti	Freeman	Maiale	Steighner
Beloff	Fryer	Manderino	Stewart
Blaum	Gallagher	Markosek	Stuban
Broujos	Gamble	Mayermik	Sweet
Burns	George	Michlovic	Taylor, F. E.
Caltagirone	Gruitza	Miscevich	Telek
Cappabianca	Haluska	Morris	Tigue
Carn	Harper	Mrkonic	Truman
Cawley	Hoefel	Murphy	Van Horne
Clark	Hutchinson	O'Donnell	Wachob
Colafella	Itkin	Olasz	Wambach
Cole	Jarolin	Oliver	Wargo
Cordisco	Kasunic	Petrarca	Wiggins
Cowell	Kosinski	Petrone	Williams
Coy	Kowalyshyn	Pievsky	Wilson
Deluca	Kukovich	Pistella	Wozniak
DeWeese	Laughlin	Pratt	Wright, D. R.
Daley	Lescovitz	Preston	Zwikl

Dawida	Letterman	Punt	
Deal	Levin	Rappaport	Irvis,
Dombrowski	Linton	Richardson	Speaker
Donatucci	Livengood	Rieger	

NOT VOTING—2

Cohen	Trello
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EXCUSED—1

Stevens

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

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

Mr. L. E. SMITH offered the following amendment No. A0916:

Amend Sec. 6, page 8, lines 21 through 28, by striking out all of said lines and inserting

(5) Interest shall accrue on all mortgage assistance made by the secretary at the rate of 9% per annum. Interest shall start to accrue whenever the mortgagor begins to make repayment under this section. Interest shall accrue only during the period in which the mortgagor is required to make repayment under this section. When the mortgage for which mortgage assistance was made is paid, interest shall then accrue on all mortgage assistance due and owing at the same rate and on the same basis as the mortgage for which the mortgage assistance was made.

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

The SPEAKER. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, the present bill has no provision in it for interest on the repayment until the mortgage is repaid. This amendment, A0916, is an attempt to begin the interest payments when the payback on the assistance loan is begun. We think this is reasonable. When the applicant is in a position to repay the loan, there is no reason why the rest of the taxpayers of the Commonwealth should be giving them a free ride on the interest. We think it is reasonable and ask for support.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Westmoreland, Mr. Kukovich.

Mr. KUKOVICH. Mr. Speaker, I would ask for a "no" vote, because I believe this amendment is counterproductive.

Under the current bill, the interest payment would not begin until after the end of the period. Even under the Governor's proposal and correspondence from him, he had never discussed any interest payment whatsoever. What is even worse is that for those individuals who have a lower interest payment, they are going to be discouraged from paying early. This will say that those who pay early have to pay 9 percent. That down the road, again, for those individuals who have interest rates underneath that, will discourage them from paying at that rate, and they will eventually pay, if they do pay, later. For that reason I think this amendment is counterproductive and should be voted against.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, this is a very liberal piece of legislation, and under the provisions of this bill, if you could keep your maintenance costs above 35 percent, you could have a free ride for 20 years, if you had a 25-year mortgage. It is conceivable that you could have a free ride for 20 years without any interest, and I do not believe the people of the Commonwealth ought to be subjected to that kind of a program. We ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Chester, Mr. Vroon.

Mr. VROON. Mr. Speaker, I think we are trying to help people in times of emergency, but when that emergency has ended, I do not think we ought to give people a free ride for 20, 30, or 40 years, as Mr. Smith mentioned. This is really not the intent of this kind of legislation. We are here in this particular piece of legislation to help people who are up against it, and once the emergency is over—and it may not last that long—then why in the wide world should we carry them for 1 day of free interest? I do not think this is advisable at all. I think it is really imposing on the taxpayers of the Commonwealth, so I would urge a positive vote for this amendment.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MISCEVICH. Mr. Speaker, if I may, I would just like to inform Mr. Vroon that the city of Pittsburgh in Allegheny County was the number one steelmaker in the Nation. Today we lead the Nation in unemployment. That is why we need bills like this, to help our people who are unemployed back home. They might not have this situation in their areas, but the people who have it in this State of Pennsylvania—and we represent them all; we only happen to be by districts—let us give these people a break, and let us give them a decent break where they do not have to lose their home. That is the only thing they ever end up with in their life. That is what they work for. They end up with a home and a car, and they get to send their kid to college like you do. Just because you have a little bit more money than the average millworker, it is no excuse not to help support them.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Chester, Mr. Vroon, for the second time on the amendment.

Mr. VROON. Talk about making as much money as a steelworker, I think a lot of the steelworkers make more money than I do as a Representative.

But the point is, Mr. Speaker, I did not say one word about not wanting to help people who are in distress. The fact of the matter is, I said by all means we should like to help people in distress, but I am saying that when they are no longer in distress, why should we give them a free ride? When they are back there making their money again, I think they should be responsible and start paying that money back plus interest.

After all, we have to pay interest to borrow that money in the first place. I think this is reasonable, and I am not trying to say anything at all against the poor steelworker who is presently unemployed for no reason of his own.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. KUKOVICH. Thank you, Mr. Speaker.

I understand the intent of this, but it does not solve the problem. I would suggest that a reading of this amendment shows that if there is going to be some sort of free ride, which I do not think there would be, it would still be possible under the language of this amendment. What I am suggesting is that if the bill stands as it is, there is more of a concern to pay that back early because there is no interest early. However, if they are concerned then with this amendment and paying back 9 percent, there is no incentive for them to pay it back early. On balance, viewing the entire effect on the fund, this amendment would be harmful and is not going to provide any incentives for early paybacks on those mortgages. We should vote “no,” Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Smith, has been recognized twice on the same amendment. The Chair will make the exception because the Chair had not announced that rule, but no one else will be excepted.

The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Thank you, Mr. Speaker.

I guess probably I am not talking on the amendment. I would like to respond to Representative Misceovich.

If this legislation were designed strictly for unemployed people, I would not be at this microphone offering amendments or opposing it. But this legislation does not deal with unemployed. It deals with anyone who finds themselves in financial circumstances beyond their control, and we are just trying to tighten it up a little bit.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—103

Afflerbach	Fischer	Levi	Rudy
Angstadt	Flick	McClatchy	Ryan
Armstrong	Foster, W. W.	McVerry	Salvatore
Arty	Foster, Jr., A.	Mackowski	Saurman
Belardi	Freind	Madigan	Scheetz
Beloff	Fryer	Maiale	Schuler
Book	Gallen	Manmiller	Semmel
Bowser	Gannon	Marmion	Serafini
Boyes	Geist	Merry	Sirianni
Brandt	Gladeck	Micozzie	Smith, B.
Bunt	Godshall	Miller	Smith, L. E.
Burd	Greenwood	Morris	Snyder, D. W.
Burns	Grieco	Mowery	Snyder, G. M.
Cessar	Gruppo	Nahill	Spencer
Cimini	Hagarty	Noye	Spitz
Civera	Hasay	O'Brien	Stairs
Clymer	Hayes	Perzel	Swift
Cornell	Herman	Peterson	Taylor, E. Z.
Coslett	Hershey	Phillips	Vroon

DeVerter	Honaman	Piccola	Wass
Davies	Jackson	Pitts	Weston
Dietz	Johnson	Pott	Wilson
Dininni	Kennedy	Punt	Wogan
Dorr	Klingaman	Reber	Wright, J. L.
Durham	Lashinger	Reinard	Wright, R. C.
Fargo	Lehr	Robbins	

NAYS—97

Alderette	Duffy	Lloyd	Saloom
Baldwin	Evans	Lucy	Seventy
Barber	Fattah	McCall	Showers
Battisto	Fee	McHale	Steighner
Belfanti	Freeman	McIntyre	Stewart
Blaum	Gallagher	McMonagle	Stuban
Broujos	Gamble	Manderino	Sweet
Caltagirone	George	Markosek	Taylor, F. E.
Cappabianca	Gruitza	Mayernik	Telek
Carn	Haluska	Michlovic	Tigue
Cawley	Harper	Miscevich	Trello
Clark	Hoeffel	Mrkonic	Truman
Cohen	Hutchinson	Murphy	Van Horne
Colafiglia	Itkin	O'Donnell	Wachob
Cole	Jarolin	Olasz	Wambach
Cordisco	Kasunic	Oliver	Wargo
Cowell	Kosinski	Petrarca	Wiggins
Coy	Kowalshyn	Pievsky	Williams
Deluca	Kukovich	Pistella	Wozniak
DeWeese	Laughlin	Pratt	Wright, D. R.
Daley	Lescovitz	Preston	Zwinkl
Dawida	Letterman	Rappaport	
Deal	Levin	Richardson	Irvis,
Dombrowski	Linton	Rieger	Speaker
Donatucci	Livengood	Rybak	

NOT VOTING—2

Moehlmann Petrone

EXCUSED—1

Stevens

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

On the question recurring,

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

Mr. L. E. SMITH offered the following amendments No. A0914:

Amend Sec. 2, page 2, line 10, by striking out "a" and inserting

an optional county participation

Amend Bill, page 2, by inserting between lines 14 and 15 Section 3. County election of participation.

The governing authority of any county may, upon adoption of an ordinance or resolution at a duly convened regular or special meeting, elect to participate in the homeowners' emergency mortgage assistance program hereby established under this act. Counties electing to participate in the program shall, within ten days after adoption of the ordinance or resolution, notify in writing the Secretary of Community Affairs of such decision. In addition, notice of such election shall be published in three newspapers of general circulation in the county at least twice during two consecutive weeks. This act shall not be construed to apply to any county not electing participation under this section. For purposes of this act, the term "county" shall include first, second and second class A counties, third through eighth class counties and home rule counties.

Section 4. Homeowners' emergency relief tax.

(a) Tax authorization.—Counties electing to participate in the program under section 3 shall, by proper action of the governing authority, have the power to levy, assess, collect, administer and enforce or to provide for the levy, assessment, collection, administration and enforcement of a tax on amusement devices upon every proprietor operating within the county who uses or permits the use for profit of any amusement device. Liability for the tax imposed under this section shall be on the proprietor who uses or permits the use of such amusement devices in the county, whether as owner or lessee of the devices. The tax imposed under this section shall be in addition to any similar mechanical amusement device tax levied pursuant to the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, the act of August 5, 1932 (Sp.Sess., P.L.45, No.45), referred to as the Sterling Act, or any other tax authorized by any other statute of this Commonwealth.

(b) Duties of operator.—It shall be the duty of every proprietor operating within a county which elects to participate in the homeowners' emergency mortgage assistance program to transmit to the county treasurer within 30 days after notice of election is published under section 3 and thereafter on or before July 1 of each year, upon a form prescribed by the governing authority, a report under oath or affirmation, showing the number of amusement devices in his possession, the serial number of each device, a brief description of each and such other information as the governing authority shall prescribe. A proprietor having more than one place of business within the county may combine in a single report, all information required under this subsection.

(c) Utilization of revenue.—All revenue generated by the imposition of the tax shall be used exclusively to fund a homeowners' emergency mortgage assistance program in that county. For this purpose, the county treasurer shall transmit all revenue collected to the Department of Community Affairs for deposit in the State Homeowners' Emergency Mortgage Assistance Fund created by section 11 of this act, provided however, that the governing authority may retain up to 1% of revenue collected to defray actual costs and expenses occurred in the administration of the tax.

(d) Limited definition.—For purposes of this section the term "amusement device" shall mean any electronic device, machine or apparatus for the playing of games, amusement or entertainment, whether operated manually or by coins, tokens, slugs, remote control, pins, pegs, balls, electric batteries or other electric current: Provided however, That the term shall not apply to any machine or device whose primary purpose is the reproduction of music, nor shall it apply to any machine or device which dispenses tangible personal property. The term "proprietor" shall mean any corporation, association, joint-stock association, partnership, limited partnership, copartnership, natural individual or any business owning or operating an amusement device for profit.

Amend Sec. 3, page 2, line 15, by striking out "3" and inserting

5

Amend Sec. 4, page 2, line 25, by striking out "4" and inserting

6

Amend Sec. 4, page 2, line 28, by inserting after "EACH" participating

Amend Sec. 4, page 2, line 28, by inserting after "THOSE" participating

Amend Sec. 4, page 3, line 10, by inserting after "MORTGAGOR"

in a participating county

Amend Sec. 5, page 3, line 14, by striking out "5" and inserting

7

Amend Sec. 5, page 3, line 15, by striking out "No" and inserting

In participating counties no

Amend Sec. 5, page 4, line 3, by inserting after "COMMON-WEALTH"

and the participating county from whose allocated revenue the loan will be made

Amend Sec. 5, page 4, line 21, by inserting after "THE" where it appears the first time

participating

Amend Sec. 5, page 4, line 24, by inserting after "A" participating

Amend Sec. 5, page 5, line 11, by striking out "6" and inserting

8

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

8

Amend Sec. 6, page 5, line 16, by striking out "IN THE" and inserting

from the participating counties allocated revenue within the

Amend Sec. 6, page 9, line 2, by striking out "9" and inserting

11

Amend Sec. 6, page 9, line 2, by removing the period after "ACT" and inserting

and shall be allocated for use by the county from whose revenue the loan was made.

Amend Sec. 7, page 9, line 3, by striking out "7" and inserting

9

Amend Sec. 8, page 9, line 11, by striking out "8" and inserting

10

Amend Sec. 8, page 9, line 12, by striking out "Before" and inserting

In counties electing participation under section 3, before

Amend Sec. 8, page 9, line 26, by striking out "A" and inserting

In counties electing participation under section 3, a

Amend Sec. 8, page 10, line 4, by striking out "5" and inserting

7

Amend Sec. 8, page 10, lines 7 through 22, by striking out all of said lines and inserting

(c) Pending legal actions.—All pending legal actions by mortgagees on mortgages covered under this act in which sheriff's sales have not been consummated on the effective date of this act shall be temporarily stayed for 60 days following the effective date of this action order to allow county governing authorities to elect participation in the program established under this act. Whenever the governing authority elects participation, the notice provided in subsection (a) shall be given to all mortgagors against whom such legal actions are pending on the effective date of this act. In the case of mortgagors who file for assistance in participating counties, the stay shall be in effect until the secretary makes a determination on the request for assistance.

Amend Sec. 9, page 11, line 5, by striking out "9" and inserting

11

Amend Sec. 9, page 11, lines 7 through 20, by striking out all of said lines and inserting

(a) Establishment and general purpose.—The Homeowners' Emergency Mortgage Assistance Fund is hereby created in the State Treasury as a separate account to receive transfers of revenues generated by participating counties through imposition of

the homeowners' emergency relief tax under section 4 and shall be used to assist homeowners as provided in this act. The Homeowners' Emergency Mortgage Assistance Fund is hereby designated as the fund to receive and expend Federal funding, grants-in-aid and assistance from other private sources made available to the Commonwealth for the purposes provided in this act.

(b) Appropriation.—No appropriations from General Fund revenues shall be made by the General Assembly to provide loans under the program established by this act, except that the necessary expenses incurred by the department in the administration of this act shall be provided by a General Fund appropriation in an amount not exceeding \$3,000,000 for any fiscal year. Moneys left over at the end of the fiscal year shall not lapse or be transferred to the General Fund, but shall remain to be used for the purposes specifically provided by this act.

(c) Revenues, etc.—All revenues deposited in this account, including repayments of mortgage assistance, shall be accounted for and made available on a participating county by county basis. The revenue raised by each participating county, including paybacks attributable to loans made from such revenues, shall be used to fund emergency mortgage assistance programs solely within that county. In the case of Federal or private funding made available for deposit into the fund, such money shall be allocated for use by each participating county on a pro rata basis according to regulations promulgated by the secretary.

Amend Sec. 10, page 11, line 21, by striking out "10" and inserting

12

Amend Sec. 11, page 11, line 24, by striking out "11" and inserting

13

Amend Sec. 11, page 11, line 28, by inserting after "FUND." The liability of a participating county shall be limited to the actual revenues generated by imposition of the homeowners' emergency relief tax less 1% for actual expenses.

Amend Sec. 12, page 11, line 29, by striking out "12" and inserting

14

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, this is what I refer to as a county option amendment. Let me say to you people who are concerned about pockets of unemployment, this is the quick fix for your problem. You do not have to wait for the Senate; you do not have to wait for PennPRIDE; you do not have to wait for a tax increase; you do not have to wait for the Governor's signature. You can take this back home; your county commissioners can fund the program and send the money to the department. It will be earmarked for the exclusive use of your county, and you can solve your own problems right at home.

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

I rise in opposition to this. If we had across this State 67 counties dealing and opting out and operating their own programs, it would be so fragmented people in banks would not know what they were doing.

Secondly, you would have to raise the local amusement tax sufficiently to take care of this or increase a new tax back

home. I do not think that will happen. From a practical standpoint, it will not happen.

Really, it is an amusing amendment, and I would ask for a negative vote, because I think it just really will not work. I think we have to have a statewide program with State direction and State controls. I think that we ought to defeat this amendment soundly.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—71

Armstrong	Fargo	Lehr	Pott
Book	Flick	McClatchy	Robbins
Bowser	Foster, W. W.	Mackowski	Ryan
Brandt	Foster, Jr., A.	Madigan	Salvatore
Bunt	Gallen	Manmiller	Saurman
Burd	Gannon	Marmion	Scheetz
Cessar	Geist	Merry	Schuler
Cimini	Gladeck	Micozzie	Sirianni
Civera	Godshall	Miller	Smith, B.
Clymer	Grieco	Moehlmann	Smith, L. E.
Cornell	Hagarty	Mowery	Snyder, G. M.
Coslett	Hayes	Nahill	Spencer
DeVerter	Herman	Noye	Swift
Davies	Hershey	O'Brien	Taylor, E. Z.
Dietz	Honaman	Perzel	Vroon
Dininni	Jackson	Peterson	Weston
Dombrowski	Johnson	Piccola	Wogan
Dorr	Klingaman	Pitts	

NAYS—125

Afflerbach	Fattah	McHale	Serafini
Alderette	Fee	McIntyre	Seventy
Angstadt	Fischer	McMonagle	Showers
Baldwin	Freeman	McVerry	Snyder, D. W.
Barber	Fryer	Maiale	Spitz
Battisto	Gallagher	Manderino	Stairs
Belardi	Gamble	Markosek	Steighner
Belfanti	George	Mayernik	Stewart
Beloff	Greenwood	Michlovic	Stuban
Blaum	Gruitza	Miscevich	Sweet
Boyes	Gruppo	Morris	Taylor, F. E.
Broujos	Haluska	Mrkonic	Telek
Burns	Harper	Murphy	Tigue
Caltagirone	Hasay	O'Donnell	Trello
Cappabianca	Hoeffel	Olasz	Truman
Carn	Hutchinson	Oliver	Van Horne
Cawley	Itkin	Petrarca	Wachob
Clark	Jarolin	Petrone	Wambach
Cohen	Kasunic	Phillips	Wargo
Colafella	Kosinski	Pievsky	Wass
Cole	Kowalshyn	Pistella	Wiggins
Cordisco	Kukovich	Pratt	Williams
Cowell	Lashinger	Preston	Wilson
Coy	Laughlin	Punt	Wozniak
Deluca	Lescovitz	Reber	Wright, D. R.
DeWeese	Letterman	Reinard	Wright, J. L.
Daley	Levin	Richardson	Wright, R. C.
Dawida	Linton	Rieger	Zwikl
Deal	Livengood	Rudy	
Donatucci	Lloyd	Rybak	Irvis,
Duffy	Lucyk	Saloom	Speaker
Evans	McCall	Semmel	

NOT VOTING—6

Arty	Freind	Levi	Rappaport
Durham	Kennedy		

EXCUSED—1

Stevens

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

On the question recurring,

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

Mr. REBER offered the following amendments No. A1086:

Amend Sec. 5, page 3, lines 26 through 29, by striking out all of said lines and inserting

(2) The mortgagor has received notice under section 8(a) of the availability of mortgage assistance payments.

Amend Sec. 5, page 4, line 4, by inserting a period after "control"

Amend Sec. 5, page 4, lines 4 through 6, by striking out "which render the" in line 4 and all of lines 5 and 6

Amend Sec. 8, page 9, lines 12 through 30; page 10, lines 1 through 6, by striking out all of said lines on said pages and inserting

(a) Time of application.—Before any writ enforcing a judgment entered by a court of competent jurisdiction, to recover under a residential real estate mortgage obligation, may be executed by the sheriff of any county, the mortgagor shall have an opportunity to apply for mortgage assistance under the provisions of this act. Notice of availability of such assistance shall be given to the mortgagor by the mortgagee whenever the mortgagee files a praecipe for the writ with the prothonotary of the county in which judgment has been entered. Execution of the writ shall be stayed for 30 days to allow the mortgagor to apply for assistance. If the mortgagor applies for aid, the stay shall continue until the secretary makes a determination on the application.

Amend Sec. 8, page 10, line 7, by striking out "(c)" and inserting

(b)

Amend Sec. 8, page 10, line 9, by striking out "sheriffs' sales have not been consummated" and inserting judgments have been entered but which have not been consummated in sheriffs' sales

Amend Sec. 8, page 10, lines 16 through 22, by striking out "Such stay shall" in line 16 and all of lines 17 through 22

On the question,

Will the House agree to the amendments?

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

Mr. REBER. Thank you very much, Mr. Speaker.

I would call the members' attention to page 3 of HB 500 and specifically direct their attention to the language that is in the bill on lines 26 through 29. In the bill, any person who is desirous of making application under this piece of legislation, and to be permitted to make application, only need show among other things one of the following, one of those being that he has received from his lending institution a notice of intent to foreclose. For those who are not exactly sure what that is, it is a statutory requirement under Act 6 passed in 1974 by this General Assembly requiring notification from the lending institution at least 30 days prior to the taking of any judicial process to forcibly take and lose that person's particular residential real estate.

Another requirement that is contained in that particular section that I earlier referenced is eligibility can vest in the individual if they have at least 90 days' delinquency on their particular account.

If you will look at the amendment that we are considering, the amendment removes these two particular provisions, and in its place I would suggest that we supplant the language as contained in the amendment that specifically permits an individual to make application under this program under all other requirements of the program, keeping the program intact and meaningful, but the only individual who can apply is that particular disadvantaged individual who will forcibly lose his home as a result of judicial process. In short, this particular process will not begin to operate under this program unless there is the filing of what is known as a praecipe for a writ of execution. This is the document that is a true-to-life actuality of losing forcibly your home by sheriff's sale.

During the last election we heard a lot of fervor regarding sheriffs' sales and the loss of homes by people who are distressed as a result of having lost unemployment. I concur with the fact that as a result of the economic situation, if a person is going to forcibly, not voluntarily as the act now would allow you to do, but forcibly lose your particular residential real estate, there should be some relief during a period of time during this economic crisis.

This amendment, the language that I am proposing, will in fact not allow any particular constituent of yours to forcibly lose his home by judicial sale. It will not allow the individual who desires to get a free ride after 90 days of delinquency. It will not allow a cluttering of the program when in fact the lending institution has issued a notice of intent to foreclose but never follows through to judicial taking of that particular residential property. Both of these instances do take place in the real world today.

I would submit that this gives the Commonwealth a very, very reasonable justification for funding such a program but at the same time keeps off those individuals whom we are so concerned about abusing the program. I would wholeheartedly ask for the support of all members from both sides of the aisle. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the amendment offered by the gentleman, Mr. Reber, the Chair recognizes the gentleman from Westmoreland, Mr. Kukovich.

Mr. KUKOVICH. Mr. Speaker, I think I understand Mr. Reber's intent. I think his intent is good, but there is a serious problem with trying to change the current eligibility standards in HB 500.

I cannot impress on the members enough the groundwork, the background work, the agonizing that went into drawing this up. The intent was to conform to HUD eligibility criteria so there would be no confusion between the Federal HUD standards and the State standards. With the HUD criteria we had a history, a tradition, to rely on, one that worked.

What we are concerned about is, if this amendment goes in, we are going to create a number of problems. One of them is

that there are going to be increased costs, arrearages, late charges. Other things will continue to accrue if we have to wait for the actual writ of execution.

Secondly, according to the testimony and the expert witnesses who came before the Business and Commerce Committee, it appeared that the sooner we get the individuals into the process of mediating with the banks, once we can trigger the housing counseling, we can alleviate the problem sooner, cheaper, and in a much better way for both the lending institutions and the individuals.

Again, although I think the intention is good, I think it is harmful to the bill. I think it is very important that we maintain the eligibility criteria as they are, and I think we should vote "no" on amendment 1086.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Montgomery, Mr. Reber, for the second time on the amendment.

Mr. REBER. Thank you very much, Mr. Speaker.

I concur to some extent with the concerns of Representative Kukovich, but I would point out that what we are concerned about is not allowing a person to forcibly lose his home. This will not take place as this amendment is drafted.

Additionally, the cost factor, I think, is really being misplaced to the wrong side of the scale, if you will, because frankly, if we have every single person who is 90 days or more delinquent making application as this particular piece of legislation is presently drafted, the costs are going to be monumental, and I do believe that the Secretary can aid and assist in this cost factor, as I read this legislation, to offset that for the very few situations where we would have a forced sale and the costs that would go along for the saving of that particular residential real estate where in fact the forced sale has been scheduled by the issuance of the appropriate judicial process.

Again, I think basically what Representative Kukovich is talking about is keeping the program alive for a lot of individuals whom most of you are certainly not concerned about keeping it alive for.

Again, I would ask for a very specific and strong "yes" on this particular amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. BROUJOS. Mr. Speaker, I think Mr. Kukovich's point is well taken on the additional costs that would be involved. Just to cite one example: Once that writ is filed, there is a confession of judgment for an attorney's fee, and that is going to be sometimes a few thousand dollars or hundreds of dollars, and that is the biggest factor. I think that should be considered, and therefore, the amendment should be defeated.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. VROON. Thank you, Mr. Speaker.

The good part of this amendment, Mr. Speaker, is that it pinpoints the point of trouble. What we are trying to accomplish with this bill is to help people in trouble.

Now, people are not going to get into any trouble in their mortgages until the bank comes around and starts foreclosing procedures, and why in the wide world should we step in any sooner than the point of trouble? The average bank or the institution holding the mortgage will bend over backwards, as I understand it and as I have spoken to them, to avoid foreclosure procedures altogether if they can. Now with this 90-day clause in here, you are going to say to them, well, look, you might just as well foreclose, because in 90 days this guy is going to get another loan. I do not think this is proper at all. I think the amendment is well taken, and I appeal to the reason of everybody present here today and say let us narrow the point of trouble to the point of foreclosure. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Chester, Mr. Flick.

Mr. FLICK. Thank you, Mr. Speaker.

I rise in support of this amendment, and I wish to make a comment, if I might, and read a letter which I have from the Secretary of the Department of Banking.

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

Mr. FLICK. Thank you.

In late May I met with the Secretary of the Department of Banking, Ben McEnteer, and discussed what was being done at the State level with respect to possible foreclosures and loans that were delinquent. My background is that of real estate, so I am familiar with the fact that the banks do not wish to own real estate on which they have mortgages. They in fact wish to do everything they can to be certain they do not become the owner of that property. We discussed it for a moment, and he shared with me a letter which he sent out in February, and I would like to read that letter for the benefit of the members here.

February 15, 1983

TO THE CHIEF EXECUTIVE OFFICERS OF ALL
STATE-CHARTERED COMMERCIAL BANKS
AND SAVINGS BANKS:

The Department of Banking wishes to cooperate with state-chartered institutions in dealing with the current adverse economic conditions in the Commonwealth and the effect it is having on Pennsylvanians.

Therefore, please be advised that the Department will give special consideration to certain mortgage loans on which payments are delinquent or are about to become delinquent because of the temporary unemployment of the borrower.

To qualify for this special consideration, a loan must be an otherwise conforming first-lien mortgage on the primary residence of the mortgagor, which property must be located in Pennsylvania. The borrower must be a Pennsylvania resident, and the mortgage payments determined to be delinquent because of unemployment as a result of current economic conditions, and with all possible means of income and methods of payment having been exhausted.

Such assets should be segregated on the books of the institution and carried in a separate category using whatever title determined by the institution to be appropriate. These loans will be considered by the

Department of Banking as "mortgage loans for special consideration."

Qualified loans which are segregated on the books of the institution will not be considered substandard and will not otherwise be subject to classification by the Department of Banking at this time, or during the course of a regular examination of the institution by the Department as long as such adverse conditions exist.

Again, I urge you to work with your temporarily unemployed customers, provide financial counseling and temporarily adjust payment schedules when it is appropriate.

Sincerely,
Ben McEnteer

I think the concern we all have is that those individuals who are unemployed and who are temporarily suffering financial crisis be given the opportunity to find adequate employment, maintain their family residence, and get back on the productive trail again. I think we should be addressing, as the amendment does address, only those persons who are unemployed and only those persons who have exhausted all other financial means to try to continue their payments on their home, and at last resort save them from the final gavel of the sheriff's sale. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. KUKOVICH. Mr. Speaker, we are very grateful for any assistance from the Secretary of Banking, but we should call to the members' attention that the great, vast majority of loans come from savings and loans, not State-chartered banks.

I would also suggest, once again, that if the members would look at the eligibility section, you will see that there is a substantial burden on the individual homeowner to show that their problem is one that is not their fault, that their credit rating is good. The financial statement is very much all-inclusive as to their financial situation.

And again, a lot of work has gone into this. We have seen through the HUD criteria, a return from August 1981 to March 1983, an acceptance rate of only 15.4 percent. We are assuming for the purposes of need in Pennsylvania for this bill an even higher percentage, so what I am suggesting is that the eligibility criteria maintains uniformity, will weed out those spurious applicants, and has been proven, time tested over a long period of time, to be adequate to weed out the persons whom Mr. Reber and the other members are concerned about. I think we have the built-in flexibility. I think we have the proper vehicle. Let us not tamper with it. Let us vote "no" on this amendment.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—126

Angstadt	Fischer	McClatchy	Robbins
Armstrong	Flick	McVerry	Rudy
Arty	Foster, W. W.	Mackowski	Ryan
Baldwin	Foster, Jr., A.	Madigan	Saloom
Belardi	Freind	Majale	Salvatore
Belfanti	Gallen	Manmiller	Saurman
Book	Gannon	Markosek	Scheetz
Bowser	Geist	Marmion	Schuler
Boyes	George	Mayernik	Semmel
Brandt	Gladeck	Merry	Serafini
Bunt	Godshall	Micozzie	Seventy
Burd	Greenwood	Miller	Showers
Burns	Grieco	Moehlmann	Sirianni
Cawley	Gruppo	Morris	Smith, B.
Cessar	Hagarty	Mowery	Smith, L. E.
Cimini	Hasay	Mrkonic	Snyder, D. W.
Civera	Hayes	Nabill	Snyder, G. M.
Clymer	Herman	Noye	Spencer
Cordisco	Hershey	O'Brien	Spitz
Cornell	Honaman	Olasz	Stairs
Coslett	Hutchinson	Perzel	Sweet
Cowell	Jackson	Peterson	Swift
Coy	Johnson	Petrone	Taylor, E. Z.
Deluca	Kennedy	Phillips	Trello
DeVerter	Klingaman	Piccola	Vroon
DeWeese	Lashinger	Pitts	Wass
Davies	Lehr	Pott	Weston
Dietz	Letterman	Punt	Wilson
Dininni	Levi	Rappaport	Wogan
Dorr	Livengood	Reber	Wozniak
Durham	Lloyd	Reinard	Wright, J. L.
Fargo	Lucyk		

NAYS—75

Afflerbach	Evans	Levin	Rybak
Alderette	Fattah	Linton	Steighner
Barber	Fee	McCall	Stewart
Battisto	Freeman	McHale	Stuban
Beloff	Fryer	McIntyre	Taylor, F. E.
Blaum	Gallagher	McMonagle	Telek
Broujos	Gamble	Manderino	Tigum
Caftagirone	Gruitza	Michlovic	Truman
Cappabianca	Haluska	Miscevich	Van Horne
Carn	Harper	Murphy	Wambach
Clark	Hoeffel	O'Donnell	Wargo
Cohen	Itkin	Oliver	Wiggins
Colafella	Jarolin	Petrarca	Williams
Cole	Kasunic	Pievsky	Wright, D. R.
Daley	Kosinski	Pistella	Wright, R. C.
Dawida	Kowalshyn	Pratt	Zwikl
Deal	Kukovich	Preston	
Dombrowski	Laughlin	Richardson	Irvis,
Donatucci	Lescovitz	Rieger	Speaker
Duffy			

NOT VOTING—1

Wachob

EXCUSED—1

Stevens

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

On the question recurring,

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

Mr. G. M. SNYDER offered the following amendment No. A1094:

Amend Sec. 5, page 4, lines 2 through 6, by striking out all of said lines and inserting

(4) The mortgagor meets all of the following conditions:

(i) The mortgagor is a permanent resident of this Commonwealth.

(ii) The mortgagor is involuntarily unemployed or suffering serious illness or injury which involuntary unemployment or illness or injury has been the dominant cause for the mortgagor's failure to make mortgage payments.

(iii) The delinquency of the mortgagor occurred after the mortgagor had become involuntarily unemployed or seriously ill or injured.

On the question,

Will the House agree to the amendment?

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

Mr. G. M. SNYDER. Thank you, Mr. Speaker.

Mr. Speaker, I am offering this amendment, 1094, to HB 500 in order to assure the taxpayers of this Commonwealth that every one of their tax dollars that is going to be used to fund this mortgage assistance program will go to help those who, because of involuntary unemployment or serious illness or injury, are in danger of losing their homes through mortgage foreclosure proceedings. I do not think the language as it now stands in the present bill is sufficient to do this. I also do not think the Commonwealth has sufficient moneys to spend unlimited amounts to fund this program. Therefore, I believe it is incumbent upon all of us to insure that whatever limited tax dollars we make available for this fund go to those who most desperately need it. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the Snyder amendment, the Chair recognizes the gentleman from Westmoreland, Mr. Kukovich.

Mr. KUKOVICH. Mr. Speaker, on the surface the amendment seems fine. Again, and rather than reiterate the amendments I made, I am not tampering with eligibility. This specific language causes a few problems. For example, the individual who is unemployed makes the application, can find some part-time work to try to pay back the loan. Under this amendment, if they are part time, they are no longer eligible. Those are the kinds of problems, the kinds of loopholes that are created by the specificity of this language.

Mr. Speaker, that is exactly why we put in the kind of eligibility we did. We think it is tight; we think there is a good burden for that applicant to carry, yet it maintains some flexibility. If we do not do that, we are going to create a bureaucratic nightmare, and that is what is happening if any more of these amendments tightening up this eligibility go in. I cannot stress how much we need to keep the flexibility in there.

Again, you can believe or not believe the past statistics which show that the HUD program has worked satisfactorily. Taxpayer money has not been wasted. This is the same criteria. What we are going to do if we continue to accept these kinds of amendments will be to work undue hardships on a number of individuals without doing anything for the taxpayer, and I would urge a "no" vote, Mr. Speaker.

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

The Chair recognizes the gentleman from Centre, Mr. Letterman, on the Snyder amendment.

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to this amendment for the following reason: This reminds me of what we do to people who are on welfare. You know, if people on welfare go out and get a part-time job, we penalize them to the fullest extent by removing everything from their allotment. That way they have no incentive whatsoever to go to work.

If we do what this amendment wants done, we will be performing the same task that has been tried to be done by the Welfare Department. What we will do is say to a person, do not try to help yourself at all or we are going to penalize you for it, and I think Mr. Kukovich is absolutely right on this amendment. I ask for a "no" on this amendment.

The SPEAKER. The Chair thanks the gentleman.

On the Snyder amendment, the Chair recognizes the gentleman from Chester, Mr. Vroon.

Mr. VROON. Mr. Speaker, I would like to call attention to the language which is now in the bill. It says, "The mortgagor is a permanent resident of this Commonwealth and is suffering financial hardship due to circumstances beyond the mortgagor's control...." Now, that does not say anything at all about unemployment and that does not restrict the nature of the financial hardship at all. There are always people in the Commonwealth under all circumstances of the economy who are in financial hardship, and we cannot very well include all of these people who do not know how to manage their affairs and they say it is beyond their control. Holy cats, I can say that I am in financial hardship here because it is beyond my control, and it is. I cannot raise my pay here, okay? So I am in financial hardship. How many more fakers are there around like me who would claim financial hardship when all they have to do is say, I suffer financial hardship, and they are going to be eligible for this? But what we are trying to get at here is exactly what this amendment says, involuntarily unemployed or unable to work because of serious injury or illness. That pinpoints the point exactly to what we want to help here.

I do not understand why we should open this wide open to everybody who can qualify under financial hardship. This is absolutely ridiculous, and I urge a positive vote on this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, on the Snyder amendment, the gentleman from York, Mr. Foster.

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

I rise to support the Snyder amendment because I think it is basically what this bill is all about or what it should be all about. I have gotten many calls from my area, had many conferences with constituents who have difficulty making mortgage payments because of unemployment. These are the people we want to help - the people who would be making their payments under ordinary conditions but they have been unemployed for a year, a year and a half.

We do not have the resources nor should we expend the resources to help people who since time immemorial have had trouble making payments on mortgages. These people have always had problems. We are trying to help the people who are in a difficult situation with their mortgage because of unemployment. We are trying to help the people who have worked and made this Commonwealth great, and the Snyder amendment will do precisely that and will allocate the limited funds we have for precisely that purpose. I strongly urge a "yes" vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, for the second time on the Snyder amendment, the gentleman from Westmoreland, Mr. Kukovich.

Mr. KUKOVICH. Mr. Speaker, I think we would be somewhat shortsighted if we voted in favor of this amendment. Again, I wish some of the people who spoke in favor of it had studied what has happened under this same eligibility criteria with HUD.

We also have to take into consideration, after months of work of hearings, the fact that if we limit the bill simply to unemployment, apart from the argument I made earlier where underemployed people might be put in a position where they will quit their part-time job to comply under this amendment, I do not think we want to set a policy of telling people to quit their jobs so they can comply.

But there are a number of other factual circumstances that exist which may not be related directly to the unemployment situation but to the economy generally, many examples. I will not run through a litany of them, but if somebody's social security is cut off, even erroneously, and it takes a long period of time to restore it, what do they do in the meantime? There are a number of circumstances where the only moral thing to do is to save that person's home. By leaving the eligibility criteria flexible, we will do the moral thing. By trying to tie the department's hands with this kind of language, we are going to wreak havoc on the intention of this bill. It is imperative that we vote "no" against these types of amendments, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. LLOYD. Thank you, Mr. Speaker.

I do not share all of the sentiments of my friend, Mr. Kukovich, but I do share the result, and that is that the right answer on this amendment is a "no" vote.

I do not think we ought to be creating a program that opens it up to everybody who might have some conceivable kind of hardship, but it seems to me the Snyder amendment ought to be withdrawn and resubmitted in a slightly different form. Surely to goodness, as Mr. Letterman said, we do not want to give people the incentive not to look for a part-time job or not to accept a job to get off unemployment compensation because if they do that, they are no longer eligible for mortgage assistance. It seems to me that we have sufficient expertise in this body that we could draft an amendment which

would take into account additional part-time earnings up to a certain level and allow the fellow to still be eligible, which would take care of what Mr. Foster and Mr. Vroon and Mr. Snyder say they want to do but in fact are not doing with this amendment. Under this amendment, the guy who wants to freeloader, the same guy you hear about at home as I do, who is on UC but who will not go out and look for a job and will not take one unless he is absolutely forced to, we are giving him an open invitation to stay on UC for absolutely as long as he can. That does not make sense. If we cannot get the amendment withdrawn and redrafted, then we ought to vote "no."

The SPEAKER. The Chair thanks the gentleman.

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

Mr. LAUGHLIN. Mr. Speaker, very briefly, Mr. Snyder's amendment is certainly well drafted to a bill that I had passed earlier this year in which Mr. Dorr had offered an amendment that is very similar in that it related to those people who could not pay their taxes on the basis of a delinquency in that area. But when he deals with the practicality of borrowing money on a mortgage basis, Mr. Speaker, I believe that he forgets one of the main elements of what I believe has always been the philosophy of the Republican Party and the minority, and a very good one, in that they have defended small business to a large degree. Small businessmen do not have the opportunity of collecting unemployment compensation because they are self-owners and as such would be ineligible for any kind of aid under his amendment.

I do not think the gentleman wishes to deprive his friends and neighbors who have fallen on hard times who do not fall under unemployment provisions, and so I would ask for the defeat of Mr. Snyder's amendment, if he is not willing to withdraw it. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, for the second time, the gentleman from York, Mr. Snyder.

Mr. G. M. SNYDER. Thank you, Mr. Speaker.

So far today until this amendment was up for consideration, we all talked about helping the unemployed and no one but the unemployed. My amendment would do more than that. My amendment would help the unemployed and those who, because of serious illness or injury, have come to the position that they can no longer make their mortgage payments.

It is not correct to say that someone who has applied for this mortgage assistance, if the bill is amended as I have asked that it be amended, will not have any incentive to go out and get a job, a part-time job or a full-time job. This amendment applies only to the eligibility to apply for mortgage assistance. Whether or not they will then have to at some later time get off the mortgage assistance program will depend upon the other criteria set forth in other portions of the bill. This amendment has nothing to do with the stopping of the mortgage assistance payments once they have qualified.

In addition, I fail to see how making the language of the bill more specific is going to create more bureaucracy. The more

nebulous the language, the more bureaucracy you ultimately create, because you have that many more people having to decide what it was that we wanted done when we passed this bill. I ask for an affirmative vote on this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority leader on the Snyder amendment.

Mr. RYAN. Mr. Speaker, would the gentleman, Mr. Kukovich, stand for interrogation?

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

Mr. RYAN. Mr. Speaker, I apologize. I did not attend caucus today and missed a good deal of the discussion on this particular bill, but I walked back a moment ago and spoke to our staff people about a question that was bothering me, and perhaps Mr. Kukovich can answer it.

My son comes to me and says, I want to buy a house or a condo or something of that sort. He makes a modest salary - \$12,000, \$15,000 - and I cosign for him. Based on my having cosigned—and I get Jim Manderino to cosign with us, because we need both our salaries for this—so based on our having cosigned, the bank does in fact grant a mortgage to my son. Immediately thereafter, it is obvious and apparent that the \$1,000-a-month mortgage payment for this particular condo or home plus his other expenses of living far exceed the limits set forth in this bill. He is still working at the same amount he was working at when he got the mortgage. Could he come in and qualify?

Mr. KUKOVICH. No, Mr. Speaker. I would ask you to look at page 3 under the requirements, especially the section starting down around line 23 that deals with mortgagors in case of joint liability, and that would show that they would not qualify. Also, to the best of my information, under the HUD criteria, again, in that hypothetical case, they would not qualify.

Mr. RYAN. Under what material, Mr. Speaker?

Mr. KUKOVICH. Under the HUD eligibility criteria which we have tracked, to the best of our knowledge, the individual would not qualify.

Mr. RYAN. Would he not be considered underemployed under the circumstances?

Mr. KUKOVICH. Well, he would, but that is just my point, Mr. Speaker. We have some very strict—and I think in a very flexible way—very strict criteria that they would have to meet. Under that section I cited, whether they are unemployed or underemployed—I think there has been a myth perpetrated here on the floor in the last hour or so that anybody can come in, apply, no matter what their situation, and receive this. That is just not the case, and I think if you read in its entirety the requirement section, you will see that that is not the case. In your hypothetical, that individual would not receive the funding.

Mr. RYAN. Would you, Mr. Speaker, point out again that section of the act that would prevent him from qualifying? You said it was on page 3. I am unable to find it on page 3.

Mr. KUKOVICH. There are two particular sections which would pertain to your hypothetical situation. The first one I pointed out was under section 4 5(a), paragraph (1), and then it goes down to section (2). It deals with mortgagors in cases of joint liability. There is another section—

Mr. RYAN. Are you on page 3?

Mr. KUKOVICH. Yes, I am. I am sorry; that number is wrong. There is a typo on line 14. That should be section 5, not 4 5; section 5. I think for the purpose of your hypothetical, the relevant language begins on line 23 and includes on down through the end of those listed criteria.

There is one other section. If you look on page 5, section (7), at the top, the financial statement which is required to be filed pursuant to receiving it deals with whether it is singly or jointly held and all household income regardless of the source. So all those who are signatories would be included, and that would preclude someone from qualifying under your hypothetical.

Mr. RYAN. I thank the gentleman.

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

Mr. MORRIS. Mr. Speaker, we have had a number of very interesting hypotheticals produced from the other side of the aisle - Mr. Burns' boat and this one of Mr. Ryan's and so on. Now, they really do not have much relationship to real life as dealing with this particular bill. I would say certainly it is real life if a young man gets his father to go on the line for him, but that is not the kind of real life we are talking about here.

Now, section (4), at the top of page 4, sets forth one criterion for eligibility which I think takes care of these things. The man or woman involved has to be suffering financial hardship due to circumstances beyond their control. Well, if a guy has a boat, that is not beyond his control; and if a guy gets into a situation to begin with where the only thing that is carrying him is his father who has gone on the note to secure it, that is not beyond his control either. And furthermore, somewhat in answer to some of the things that were said by Mr. Vroon and others, somebody who has been a spendthrift and has gotten himself into this situation all on his own that way, that is not beyond his control. I think we are doing some nitpicking here which is not justified.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. LLOYD. Thank you, Mr. Speaker.

In response to Mr. Snyder's assurance that this is not going to be a haven for people who are taking advantage and refusing to go out and look for part-time work, you know, I have heard that argument before, and it seems to me that that argument has been soundly rejected in the past by Mr. Snyder's party when it was raised in the context of general assistance, and I would suggest that this department will probably, in the Republicans' point of view, be no better suited and no more effective in getting rid of the people who should not be on the list than they felt the Department of Public Welfare was.

With regard to Mr. Ryan's hypothetical, I just would note that if we do not solve the budget and tax problem in a reasonable time period, after the next election maybe his hypothetical can come true. Thank you, Mr. Speaker.

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

Mr. BURNS. Mr. Speaker, in response to Representative Morris when he spoke to my hypothetical, all I am asking is that if anybody takes this bill and reads it completely and follows the logic of my hypothetical, where I bought the boat when I was working, I took out a second mortgage to do so, and then I become unemployed, I can qualify for this program by not ever being required to sell the boat. I have the best of two worlds, and if I am wrong on that, you point out to me where in the bill it says I am wrong.

The SPEAKER. The Chair thanks the gentleman.

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

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

In partial response to the gentleman from Chester, Mr. Morris, who said that we have too many illustrations over here of things that never really happen or may never happen, I will relate to you my conversation with the president of the York County Labor Council just a couple of hours ago. He had called me about the bill, and when we discussed the bill, he said very clearly that he favored keeping the legislation for people who are the victims of unemployment. I pointed out that the bill was open ended and needed tightening, and he agreed on that point, and I think we should do exactly that - keep the bill for its intended purpose of helping those who are unable to make mortgage payments because of unemployment.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. MORRIS. Thank you, Mr. Speaker.

I want to respond very briefly, and then I am not going to say any more on this point to Mr. Burns and his boat. The man ought to sell the boat. If he does not sell the boat, he is his own worst enemy. He is not in this position under circumstances beyond his control. Sure, he may have bought the boat when things were good and his future looked bright, but the boat ought to be the first thing to go before his house. I still say we are dealing with the real world in relation to this bill, and these hypothetical cases are not in the real world in relation to this bill.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—94

Angstadt	Flick	Levi	Reinard
Armstrong	Foster, W. W.	McClatchy	Robbins
Arty	Foster, Jr., A.	McVerry	Ryan
Belardi	Freind	Mackowski	Salvatore
Book	Gallen	Madigan	Saurman
Bowser	Gannon	Manmiller	Scheetz
Boyes	Geist	Marmion	Schuler

Brandt	Gladeck	Merry	Semmel
Bunt	Godshall	Micozzie	Serafini
Burd	Greenwood	Miller	Sirianni
Cessar	Grieco	Moehlmann	Smith, B.
Cimini	Gruppo	Mowery	Smith, L. E.
Civera	Hagarty	Nahill	Snyder, G. M.
Clymer	Hasay	Noye	Spencer
Cornell	Hayes	O'Brien	Spitz
Coslett	Herman	Perzel	Sairs
DeVerter	Hershey	Peterson	Swift
Davies	Honaman	Phillips	Taylor, E. Z.
Dietz	Jackson	Piccola	Vroon
Dininni	Johnson	Pitts	Wass
Dorr	Kennedy	Pott	Weston
Durham	Klingaman	Punt	Wilson
Fargo	Lashingar	Reber	Wogan
Fischer	Lehr		

NAYS—108

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

NOT VOTING—0

EXCUSED—1

Stevens

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

On the question recurring,

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

Mr. DAVIES offered the following amendments No. A2002:

Amend Bill, page 11, by inserting between lines 28 and 29 Section 12. Emergency assistance loans.

(a) Home Mortgage and Residential Rental Loan Fund; appropriation.—In addition to the fund established by section 9, there is hereby created and authorized an Emergency Home Mortgage and Residential Rental Loan Fund. The amount of \$50,000,000 is hereby appropriated from the State Lottery Fund established by the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, for deposit into the Home Mortgage and Residential Rental Loan Fund in order to carry out the purposes of this section. The proceeds of this fund shall be used

solely for an emergency assistance loan program as provided in this section. The emergency assistance loan program shall be in addition to any other emergency assistance program established by any other State or Federal law: Provided, however, That any person receiving emergency loan assistance under any similar State or Federal program shall not be eligible for the relief provided by this section.

(b) Eligibility.—Claimants who fulfill all of the following criteria shall be eligible to participate in the emergency assistance loan program created by this section:

(1) The claimant is a natural person and has been a resident of this Commonwealth for the 12-month period immediately preceding application.

(2) The claimant is presently unemployed and is receiving or has received unemployment compensation benefits within the 12-month period immediately preceding the application.

(3) The claimant has insufficient income or assets, as disclosed in the financial statement required by subsection (e), to satisfy mortgage or rent obligations.

(4) The claimant has been unable to obtain a credit extension from the mortgagor or landlord and has been unable to enter a forbearance agreement.

For purposes of this section, the term "claimant" shall mean a natural person who has been a resident of this Commonwealth for at least one year and is 65 years of age or over, or is a widow or widower 50 years of age or over, or is a permanently disabled person 40 years of age or over. The term "widow" or "widower" shall mean the surviving wife or the surviving husband, as the case may be, of a deceased individual and who has not remarried. The term "permanently disabled person" shall mean a person who is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to continue indefinitely.

(c) Sponsorship.—Each claimant may nominate and sponsor one natural person for participation in the emergency loan program created by this section. In order to be eligible for participation, each nominee must satisfy the the following eligibility criteria:

(1) The nominee is a natural person and has been a resident of this Commonwealth for the 12-month period immediately preceding application.

(2) The nominee is presently under a mortgage or rental contract obligation on a one or two family unit residential property located in this Commonwealth.

(3) The nominee is presently unemployed and is receiving or has received unemployment compensation benefits within the 12-month period immediately preceding the application.

(4) The nominee has insufficient income or assets, as disclosed in the financial statement required by subsection (e), to satisfy mortgage or rent obligations.

(5) The nominee has been unable to obtain a credit extension from the mortgagor or landlord and has been unable to enter a forbearance agreement.

(6) The nominee's unemployment has been the dominant cause for the mortgage or rent delinquency.

Nothing in this section shall be construed to make the claimant liable in any way for the repayment of an emergency assistance loan made to a nominee. In addition, the secretary, as a prerequisite for granting an emergency assistance loan to a nominee, shall ascertain whether the claimant is of sound mind and has chosen the nominee of his or her own free choice and not as the result of duress, coercion or other manner of undue influence. For this purpose, the secretary shall conduct at least one interview with a nominating claimant prior to the granting of a loan to the designated nominee.

(d) **Loan limits.**—Loans shall be in an amount determined by the secretary after due consideration is given to the applicant's financial circumstances and his or her employment history. In no case may a loan exceed \$10,000 to any one person. Loan repayments shall begin on monthly installments on such terms and in such amounts as determined by the secretary, based on the recipient's ability to repay, at the expiration of six months from the date the recipient has resumed gainful employment. No loan repayment term shall extend for more than ten years. No interest shall accrue on the outstanding balance of any loan made under the provisions of this section. All loan repayments shall be deposited in the State Lottery Fund.

(e) **Administration of fund.**—The Department of Community Affairs shall administer the emergency assistance loan program created by this section and shall promulgate rules and regulations to carry out the purposes of this section. All applications for emergency assistance loans shall be made to the Secretary of Community Affairs on forms prescribed by the secretary. Each applicant shall include with the application a financial statement disclosing all assets and liabilities of the applicant, whether singly or jointly held, all household income regardless of source and any other information required by the secretary. All loan repayments shall be secured by a lien on the recipient's real property in the case of homeowners or collateralized by means as the secretary shall determine in the case of renters.

(f) **Penalty.**—Use of an emergency assistance loan made under the provisions of this section for purposes other than satisfaction of mortgage or rent obligations shall, upon conviction, be punishable as a misdemeanor of the third degree.

(g) **Expiration of emergency provisions.**—The provisions of this section shall expire five years after the effective date of this act; however, this subsection shall not be construed to forgive payback of emergency assistance loans made under the provisions of this section, nor terminate any lien or security interest in effect against any property on the termination date of this section. Recipients who have received emergency assistance loans shall make repayment of such loans under the provisions of this section. All revenue remaining in the Home Mortgage and Residential Rental Loan Fund on the termination date of this section shall lapse into the State Lottery Fund.

(h) **Reconciliation with State Lottery Law.**—The provisions of the State Lottery Law are superseded insofar as they are inconsistent with this section.

Amend Sec. 12, page 11, line 29, by striking out "12" and inserting

13

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the Chair recognizes the gentleman from Berks, Mr. Davies.

Mr. DAVIES. Thank you, Mr. Speaker.

This would try to establish another approach to the matter and expand it to the senior citizens to qualify, in the event that they run into the same problem, and would establish a funding source through the Lottery Fund, which, of course, has been designated for senior citizens.

In the event that the senior citizen would be residing with, let us say, a son or son-in-law, or a son and daughter-in-law, then as a claimant who would qualify, they then could sponsor that son or son-in-law as the nominee if the son-in-law or daughter-in-law, or both, would qualify under the six stipulations that we have placed under item (c), the sponsorship. The loan limits would be established at \$10,000. The

administration of the fund would be put with the Department of Community Affairs and would clearly designate that the senior citizen, upon interview, could not be doing anything under duress or any such problem there. The proper penalties would be established for any violation of the intent, and the emergency provisions, of course, would only last for the designated period spelled out in the amendment.

In addition, the moneys would be paid back into the State lottery as they were recouped by this legislation.

REQUEST TO DIVIDE AMENDMENTS

Mr. DAVIES. Mr. Speaker, with your indulgence, may I ask if it is possible to divide the amendment to eliminate what I consider to be an error established in eligibility in the reprinting of this over the previous amendment?

The SPEAKER. Where would the gentleman suggest that the amendment be divided?

Mr. DAVIES. I want to take out "The claimant..." under section (b), subsection (2). I want to eliminate that, so I would ask for that to be considered by itself and defeated as a single item rather than go through and hold up the bill for the amendment at later consideration, and then have the rest of it stand on its own weight.

The SPEAKER. The Chair regrets to inform the gentleman that in the Chair's opinion, the request of the gentleman cannot be acceded to. Subsection (2) under section (b) could not stand by itself. It would have nothing to which it could be attached. If the House approved all the other language, then subsection (2) could not stand by itself and therefore could not be so divided.

Mr. DAVIES. Then, Mr. Speaker, I would respectfully ask the Chair, would it be possible to consider all of the rest of the amendment, removing section (2) as such? Would that be a proper request?

The SPEAKER. If the gentleman wishes to, he may move to strike from consideration subsection (2), and then we would consider on the floor of the House all the other language, and that would stand the test.

PART OF AMENDMENT A2002 STRICKEN

Mr. DAVIES. That being the proper motion then, Mr. Speaker, I would so request of the Chair that consideration.

The SPEAKER. It is moved by the gentleman, Mr. Davies, that subsection (2) under section (b) be stricken from amendment A2002.

On the question,

Will the House agree to the motion?

Motion was agreed to.

The SPEAKER. Now we have before us amendment A2002, omitting the language which was formerly in here under subsection (2).

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman from Allegheny, Mr. Cowell, rise?

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

The SPEAKER. The gentleman will state it.

Mr. COWELL. Mr. Speaker, I would like to ask for some elaboration on the ruling which you have just made. It is my understanding that the rules of the House prohibit verbal amendments to amendments, and it strikes me that that is what you have just permitted Mr. Davies to do - to amend amendment 2002 by striking a section from it.

The SPEAKER. The Chair disagrees with the gentleman. It is the Chair's opinion—the Chair will cite the authority as soon as the Parliamentarian can locate the right paragraph—that the gentleman's motion to strike is not amending an amendment. It is withdrawing part of an amendment from consideration, which the gentleman has a right to do. The Chair will hold in abeyance the ruling until the Chair is ready to cite the proper paragraph.

Mr. COWELL. Mr. Speaker, in terms of further inquiry then, once that information is available and once you can cite the basis for it, if you could for the information of all the members establish some parameters, because that perhaps opens up an opportunity that many of us were not aware of, and we would like to know the limits on which one may strike language from a proposed amendment on the floor.

The SPEAKER. The gentleman's request is well taken. The Chair will accede to it.

Mr. COWELL. Thank you, Mr. Speaker.

The SPEAKER. The House will stand at ease.

DECISION OF CHAIR REVERSED

The SPEAKER. In answer to the gentleman from Allegheny, Mr. Cowell's inquiry, the Chair is going to rescind its ruling, not because the Chair believes the ruling is incorrect but because the Chair has found that the ruling is far more complicated under Mason's Manual than the Chair had realized.

Under Mason's, section 413, it reads: "A motion to strike out certain words can be applied only to consecutive words," et cetera. That is the section that the Chair relied on. However, in the following section it talks about "If it be proposed to amend by leaving out certain words, it may be moved, as an amendment to this amendment...." That complicates the situation, and rather than ruling out of hand on it, the Chair would desire to study the matter and therefore would rescind the permission for the gentleman's motion to strike.

AMENDMENTS WITHDRAWN

The SPEAKER. Does the gentleman wish to offer the entire amendment?

Mr. DAVIES. No, Mr. Speaker. I would withdraw the amendment and submit the previous amendment that I had submitted for consideration.

The SPEAKER. The gentleman wishes to submit the entire amendment A2002. Is that correct?

Mr. DAVIES. No, sir. I would submit in its stead the one that was formerly circulated, amendment A1125.

The SPEAKER. For the information of the members who may not have been paying attention to the parliamentary inquiry, the gentleman, Mr. Davies, has withdrawn amendment A2002. The Chair has rescinded its ruling on whether or not a motion to strike is in order on an amendment, so there is no ruling of the Chair on that question. The Chair has withdrawn that ruling because the Chair is not certain that the ruling is accurate. The gentleman, Mr. Davies, instead of offering amendment A2002 offers the following amendment, which the clerk will read.

On the question recurring,

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

Mr. DAVIES offered the following amendments No. A1125:

Amend Bill, page 11, by inserting between lines 28 and 29 Section 12. Emergency assistance loans.

(a) Home Mortgage and Residential Rental Loan Fund; appropriation.—In addition to the fund established by section 9, there is hereby created and authorized an Emergency Home Mortgage and Residential Rental Loan Fund. The amount of \$50,000,000 is hereby appropriated from the State Lottery Fund established by the act of August 26, 1971 (P.L.351, No.91), known as the State Lottery Law, for deposit into the Home Mortgage and Residential Rental Loan Fund in order to carry out the purposes of this section. The proceeds of this fund shall be used solely for an emergency assistance loan program as provided in this section. The emergency assistance loan program shall be in addition to any other emergency assistance program established by any other State or Federal law: Provided, however, That any person receiving emergency loan assistance under any similar State or Federal program shall not be eligible for the relief provided by this section.

(b) Eligibility.—Claimants who fulfill all of the following criteria shall be eligible to participate in the emergency assistance loan program created by this section:

(1) The claimant is a natural person and has been a resident of this Commonwealth for the 12-month period immediately preceding application.

(2) The claimant is presently under a mortgage or rental contract obligation on a one or two family unit residential property located in this Commonwealth.

(3) The claimant is presently unemployed and is receiving or has received unemployment compensation benefits within the 12-month period immediately preceding the application.

(4) The claimant has insufficient income or assets, as disclosed in the financial statement required by subsection (e), to satisfy mortgage or rent obligations.

(5) The claimant has been unable to obtain a credit extension from the mortgagor or landlord and has been unable to enter a forbearance agreement.

(6) The claimant's unemployment has been the dominant cause for the mortgage or rent delinquency.

For purposes of this section, the term "claimant" shall mean a natural person who has been a resident of this Commonwealth for at least one year and is 65 years of age or over, or is a widow or widower 50 years of age or over, or is a permanently disabled person 40 years of age or over. The term "widow" or "widower" shall mean the surviving wife or the surviving husband, as the case may be, of a deceased individual and who has not remarried. The term "permanently disabled person" shall mean a person who is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment which can be expected to continue indefinitely.

(c) Sponsorship.—Each claimant may nominate and sponsor one natural person for participation in the emergency loan program created by this section. In order to be eligible for participation, each nominee must satisfy the eligibility criteria specified in subsection (b)(1) through (6). Nothing in this section shall be construed to make the claimant liable in any way for the repayment of an emergency assistance loan made to a nominee. In addition, the secretary, as a prerequisite for granting an emergency assistance loan to a nominee, shall ascertain whether the claimant is of sound mind and has chosen the nominee of his or her own free choice and not as the result of duress, coercion or other manner of undue influence. For this purpose, the secretary shall conduct at least one interview with a nominating claimant prior to the granting of a loan to the designated nominee.

(d) Loan limits.—Loans shall be in an amount determined by the secretary after due consideration is given to the applicant's financial circumstances and his or her employment history. In no case may a loan exceed \$10,000 to any one person. Loan repayments shall begin on monthly installments on such terms and in such amounts as determined by the secretary, based on the recipient's ability to repay, at the expiration of six months from the date the recipient has resumed gainful employment. No loan repayment term shall extend for more than ten years. No interest shall accrue on the outstanding balance of any loan made under the provisions of this section. All loan repayments shall be deposited in the State Lottery Fund.

(e) Administration of fund.—The Department of Community Affairs shall administer the emergency assistance loan program created by this section and shall promulgate rules and regulations to carry out the purposes of this section. All applications for emergency assistance loans shall be made to the Secretary of Community Affairs on forms prescribed by the secretary. Each applicant shall include with the application a financial statement disclosing all assets and liabilities of the applicant, whether singly or jointly held, all household income regardless of source and any other information required by the secretary. All loan repayments shall be secured by a lien on the recipient's real property in the case of homeowners or collateralized by means as the secretary shall determine in the case of renters.

(f) Penalty.—Use of an emergency assistance loan made under the provisions of this section for purposes other than satisfaction of mortgage or rent obligations shall, upon conviction, be punishable as a misdemeanor of the third degree.

(g) Expiration of emergency provisions.—The provisions of this section shall expire five years after the effective date of this act; however, this subsection shall not be construed to forgive payback of emergency assistance loans made under the provisions of this section, nor terminate any lien or security interest in effect against any property on the termination date of this section. Recipients who have received emergency assistance loans shall make repayment of such loans under the provisions of this section. All revenue remaining in the Home Mortgage and Residential Rental Loan Fund on the termination date of this section shall lapse into the State Lottery Fund.

(h) Reconciliation with State Lottery Law.—The provisions of the State Lottery Law are superseded insofar as they are inconsistent with this section.

Amend Sec. 12, page 11, line 29, by striking out "12" and inserting

13

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

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

Mr. DAVIES. Mr. Speaker, this would not have the clarity that the former amendment would have had, had I been able

to use the former ruling of the Chair, so therefore, I will try to give clarity to this. Under item (6) it says that "For purposes of this section, the term 'claimant' shall mean a natural person who has been a resident of this Commonwealth for at least one year and is 65 years of age or over, or is a widow or widower 50 years of age or over, or is a permanently disabled person 40 years of age or over.... 'widow' or 'widower' shall mean the surviving wife or the surviving husband,..." and the term "permanently disabled person" as described.

This means that in lieu of the other six criteria, the criteria under section (6) would take its place, so, therefore, it would explain what a senior citizen is, a disabled person, or a widow or widower 50 years of age or more. It probably would not have the same clarity but would serve in its stead, and that is what we were essentially trying to clear up with the alternate amendment which had been withdrawn. Substantially, it stays the same.

Again, what it addresses is an attempt to find a funding source. The funding source is something that is currently in place, and to speak to that, it then would qualify any senior citizen who would come under those categories as qualified, or they would be able to sponsor the same persons whom I had said under the former amendment, that being somebody whom they would reside with and seek to sponsor to give relief to that person who came under any of the six qualifications as stated under item (c).

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Taylor.

Mr. TAYLOR. Would the gentleman, Mr. Davies, stand for interrogation, Mr. Speaker?

The SPEAKER. The gentleman, Mr. Davies, indicates he will so stand. The gentleman, Mr. Taylor, is in order and may proceed.

Mr. TAYLOR. I am having much difficulty trying to understand whom he is getting at and by which way he is arriving at that. Would the gentleman explain to me, under subsection (c), sponsorship, what are you attempting to do there?

Mr. DAVIES. This means that a senior citizen or someone disabled or the others qualifying under "claimant," which we find following after subsection (6) on page 1, would mean that a senior citizen or those others who are claimants who qualify under that paragraph would be able to designate and sponsor someone of their choice who meets all of the six criteria to be able to get an assistance loan under this program.

Mr. TAYLOR. Would they also be able to qualify for this loan to pay their rent, too?

Mr. DAVIES. Would they be able to qualify? Yes; they would be able to qualify.

Mr. TAYLOR. Does it apply to renters?

Mr. DAVIES. Yes, but they would have to be unemployed. They have to meet the hardship qualifications as specified there, so it would mean those as well, and it would, of course, limit it to that one sponsorship.

Mr. TAYLOR. Thank you.

Mr. Speaker, may I make a brief statement?

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

Mr. TAYLOR. After reviewing this amendment, I would ask for a negative vote on this amendment, because really, you are talking about \$50 million to someone sitting out there deciding whom they want to sponsor and whom they do not want to sponsor, a natural person, all these kinds of things. I think we are getting into an area where you are taking it away from the institutions that entered into these agreements with the bank and the person who has a mortgage.

I think really we are going far afield here, and I would ask for a "no" vote on this amendment, basically because we are talking about \$50 million out of the fund, and secondly, we have decided that \$25 million in the total program is sufficient to take care of this need in Pennsylvania. I ask for a firm negative vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Montgomery, Mr. Hoefel.

Mr. HOEFFEL. Thank you, Mr. Speaker.

I rise in opposition to the Davies amendment. We do not need to spend \$50 million from the Lottery Fund to solve the mortgage foreclosure relief problem in this State. The \$25 million that we anticipate spending is sufficient.

Secondly, we should not use the Lottery Fund, in my judgment and in the judgment of the senior citizens of this Commonwealth, for people who are not senior citizens, and the Davies amendment would clearly permit that to happen. Through his concept of sponsorship, through his concept of allowing seniors to sponsor someone else to receive mortgage foreclosure relief from the Lottery Fund, we would indeed be breaching the Lottery Fund for people who are not senior citizens. I think that is a mistake.

We do not need to spend \$50 million to solve this problem. We should not breach the Lottery Fund for people who are not senior citizens, and the senior citizens themselves in four public hearings this year on the lottery surplus never once asked for mortgage foreclosure relief. They do not need this. We do not need to provide it in this way. I think Mr. Davies is off on his own on this, and I think we should reject his amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. COWELL. Thank you, Mr. Speaker.

Would Mr. Davies consent to interrogation, please?

The SPEAKER. The gentleman, Mr. Davies, indicates he will so stand. The gentleman, Mr. Cowell, is in order and may proceed.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, two lines of questions. One, does the speaker have any figures to indicate to the members of this House how many individuals in recent years who would be eligible for this special loan program which you would establish have in fact been evicted from their rental properties or have in fact

defaulted on their mortgages and would have been able to be assisted under the provisions of this amendment?

Mr. DAVIES. I am glad you asked, because it would answer some of the questions that the two former speakers raised. The figure of \$50 million is only established as a maximum. The figures that we have had would be far less than that and probably would only involve a very slight amount of that total within that potential of a 5-year interim. With the limits affixed to it on the amount and the payback schedule that would be assumed, they would never probably exceed some 20 percent of the moneys that could be applied if the current economic state would continue in the Commonwealth without an improvement in the economy. I would not attempt to use any crystal ball to try to say what that economy is going to do as compared to the national— To be brief, Mr. Speaker, I would say that it would probably be only a small portion of that, according to what preliminary figures would indicate.

Mr. COWELL. Mr. Speaker, with all due respect, the gentleman has not answered my question. My question was, how many individuals have in fact found themselves in circumstances where they could have been helped if this program had existed? The gentleman has indicated something about preliminary figures. Could you share with us the preliminary figures?

Mr. DAVIES. According to those as far as eligibility, it would be impossible to indicate the exact number, because we do not know how many of those people whom the senior citizens are residing with would of course seek sponsorship. And if they would not seek that sponsorship and could not meet that test, I would have a difficult time taking a figure and saying we could approximate this as far as an exacting figure, so I would have a difficult time giving you a concrete number.

Mr. COWELL. Thank you, Mr. Speaker.

On the second line of questioning on the issue of sponsorship, my reading of the language that appears on page 2 suggests that a claimant may nominate another person to participate in this emergency loan program. It seems to suggest further that that nominee or that other person must meet the same criteria as outlined on page 1 in section (b)(1) through (b)(6). It seems to me that by meeting the criteria outlined in subsections (1) through (6), that nominee could in fact be a claimant himself or herself, and I do not understand the reason for the sponsorship program then. What is the difference in terms of criteria between a claimant and the original sponsor and the person who was in fact the nominee?

Mr. DAVIES. No; you would err, sir. That means that the senior citizen would be able to sponsor anyone who could meet those criteria, and that would, of course, be their son-in-law, their daughter-in-law, or their son. If whomever they were residing with were in financial stress, which is one of those, then they would be able to qualify. It would only be limited to those six criteria.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, may I make some remarks, please?

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

Mr. COWELL. Mr. Speaker, I would urge that we reject this amendment for several reasons. First, the gentleman who is the sponsor of the amendment has not been able to indicate that there really is a problem that would be addressed by this particular amendment. He has not been able to talk in terms of specific numbers or even to give us any general numbers about the number of people who have been affected as renters or as mortgageholders who in fact could be assisted if this amendment went into place.

Secondly, I think that the discussion that we most recently had about the difference between claimant and nominee and what the eligibility criteria would be is perhaps one of those areas that could have been clarified in this amendment. Perhaps the gentleman tried to clarify it in version or amendment 2002, but in my opinion, it is not adequately clarified in the language currently before us.

Thirdly, and most importantly, as Representative Hoeffel suggested, we really do not need this program. Most importantly, we ought not to tap into that lottery program again for this kind of effort, this kind of new program. I think that to adopt this amendment, and if it would ultimately become law, would mean that the commitment that the originators of the lottery program first made in fact would be violated. We would be violating that commitment that the lottery proceeds were going to be used only for the needs of senior citizens. The very explanation that the gentleman gave about other people who might suddenly become eligible as nominees for relief to this program certainly would violate that principle.

We do not need this program. The information is not sufficient to justify it. Thirdly, we ought not to tap the lottery program for this or any other purpose that does not directly benefit senior citizens. With that in mind, I would urge that we reject the amendment. Thank you.

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

Mr. DAVIES. Mr. Speaker, the only thing I can say is that regardless of how little of the \$50 million could be set aside from those surpluses, if this would save 100 or 200 or 300 people who are senior citizens and another 1,000 people from being turned out on the street, I would consider it to be a worthwhile program. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—8

Angstadt	Gallen	Lehr	Saurman
Davies	Johnson	Mowery	Wright, J. L.

NAYS—193

Afflerbach	Evans	Lloyd	Rudy
Alderette	Fargo	Lucyk	Ryan
Armstrong	Fattah	McCall	Rybak
Arty	Fee	McClatchy	Saloom
Baldwin	Fischer	McHale	Salvatore
Barber	Flick	McIntyre	Scheetz

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

NOT VOTING—1

O'Donnell

EXCUSED—1

Stevens

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

On the question recurring,

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

Mr. L. E. SMITH offered the following amendment No. A2005:

Amend Sec. 6, page 7, line 14, by inserting after "require." The lien or other security interest of the Commonwealth shall not be deemed to take priority over any other secured lien or security interest in effect against the mortgagor's property on the date assistance payments begin.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, this is amendment A2005, which is a replacement for 1707. The language has been corrected, and I believe this amendment is now unopposed.

The SPEAKER. The Chair thanks the gentleman.
The Chair recognizes the gentleman from Fayette, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

Yes, the amendment is agreed to, and I would ask for an affirmative vote. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—189

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

NAYS—11

Battisto	Hoeffel	McMonagle	Wiggins
Donatucci	Letterman	Rieger	Wilson
Evans	McIntyre	Telek	

NOT VOTING—2

Markosek	Mayernik
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EXCUSED—1

Stevens

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

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

Mr. VROON offered the following amendment No. A1999:

Amend Sec. 6, page 7, lines 16 and 17, by striking out "or for" in line 16, all of line 17 and inserting
for repairs necessary to preserve the property.

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

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

Mr. VROON. Thank you, Mr. Speaker.

On page 7 of this bill we have a section called lien, and this section provides that all payments that are made under this bill will be secured by a lien on the property. Then the bill goes on to say, "The secretary may allow subordination of the mortgage assistance lien if such subordination is necessary to permit the mortgagor to obtain a home improvement loan or for other good cause." Now, this is such broad language that I feel that we should restrict it a bit for the sake of good logic and reason. For example, what constitutes a home improvement loan? A home improvement loan can be for a swimming pool; it can be for a porch; it can be for a sunroom; it can be for a gameroom; it can be for almost anything that you can imagine. The home improvement loan is not necessarily something that we should have the other lien subordinated to.

Then the words "or for other good cause" are really so wide open that for any reason whatsoever, if you want to get a loan, the Secretary may subordinate the lien to that loan. I think this is utterly unreasonable, so I have introduced this amendment to restrict such loans. The words which I have substituted for those words are these: such loans can only be made for repairs that are necessary to preserve the property. That is a valid kind of a loan that we need to permit so that the lien will be subordinated for that purpose. Any other loan is unnecessary, but this is necessary for the preservation of the property until that loan is paid off, and then he can do what he wants with his property. I urge an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the Vroon amendment, the Chair recognizes the gentleman from Fayette, Mr. Taylor.

Mr. TAYLOR. Thank you very much, Mr. Speaker.

If I could have gotten Mr. Vroon's attention a little earlier, I could have told him we agree to this amendment. I would ask for an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—196

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

NAYS—5

Alderette	Fattah	Freeman	Kukovich
Cappabianca			

NOT VOTING—1

Smith, L. E.

EXCUSED—1

Stevens

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

REMARKS ON VOTE

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

Mr. WILSON. Mr. Speaker, on the Smith amendment 2005 to HB 500, I inadvertently voted in the negative. I should have voted in the affirmative. Thank you.

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

CONSIDERATION OF HB 500 CONTINUED

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

Mr. DORR offered the following amendment No. A1998:

Amend Sec. 6, page 7, line 12, by inserting after "a"
mortgage

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

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

Mr. DORR. Mr. Speaker, I believe this amendment may also be agreed to. For the members' information, it simply clarifies terminology so that we ascertain that the Commonwealth's interest is protected under the current bankruptcy laws.

The SPEAKER. On the Dorr amendment, the Chair recognizes the gentleman from Fayette, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

The gentleman is absolutely correct, and I would ask for an affirmative vote. It is an agreed-to amendment.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—198

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

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

NAYS—1

Rybak

NOT VOTING—3

Alderette

Belfanti Fattah

EXCUSED—1

Stevens

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

REMARKS ON VOTE

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

Mr. RICHARDSON. Mr. Speaker, on amendment A0945 to HB 500, I was recorded in the affirmative. I would like to be recorded in the negative.

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

CONSIDERATION OF HB 500 CONTINUED

On the question recurring,

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

AMENDMENT A1086 RECONSIDERED

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Taylor, together with the gentleman from Westmoreland, Mr. Kukovich, who moves for reconsideration of the vote by which amendment A1086 to HB 500 was passed on June 29, 1983. That is the Reber amendment.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—128

Afflerbach	Duffy	Lloyd	Rudy
Alderette	Evans	Lucyk	Rybak
Armstrong	Fattah	McCall	Saloom
Arty	Fee	McHale	Serafini
Baldwin	Foster, Jr., A.	McIntyre	Seventy

Barber	Freeman	McMonagle	Showers
Battisto	Freind	Maiale	Smith, B.
Belardi	Fryer	Manderino	Spitz
Belfanti	Gallagher	Merry	Steighner
Beloff	Gamble	Michlovic	Stewart
Blaum	Gannon	Miller	Stuban
Bowser	Geist	Miscevich	Sweet
Boyes	George	Moehlmann	Swift
Brandt	Greenwood	Morris	Taylor, F. E.
Broujos	Gruitza	Mowery	Telek
Burd	Haluska	Mrkonic	Tigue
Burns	Harper	Murphy	Trello
Caltagirone	Hoeffel	O'Donnell	Truman
Cappabianca	Honaman	Olasz	Wachob
Carn	Hutchinson	Oliver	Wambach
Cawley	Itkin	Petrarca	Wargo
Clark	Jarolin	Petrone	Wiggins
Cohen	Kasunic	Piccola	Williams
Colafella	Kosinski	Pievsky	Wilson
Cole	Kowalshyn	Pistella	Wozniak
Cordisco	Kukovich	Pitts	Wright, D. R.
Coy	Lashingner	Pratt	Wright, J. L.
DeWeese	Laughlin	Preston	Wright, R. C.
Daley	Lescovitz	Punt	Zwikl
Dawida	Letterman	Rappaport	
Deal	Levin	Richardson	Irvis,
Dombrowski	Linton	Rieger	Speaker
Donatucci	Livengood		

NAYS—69

Angstadt	Foster, W. W.	McClatchy	Ryan
Book	Gallen	McVerry	Salvatore
Bunt	Gladeck	Mackowski	Saurman
Cimini	Godshall	Madigan	Scheetz
Civera	Grieco	Manmiller	Schuler
Clymer	Gruppo	Marmion	Semmel
Cornell	Hagarty	Micozzie	Sirianni
Coslett	Hasay	Nahill	Smith, L. E.
Deluca	Hayes	Noye	Snyder, D. W.
DeVerter	Herman	O'Brien	Snyder, G. M.
Davies	Hershey	Perzel	Spencer
Dietz	Jackson	Peterson	Stairs
Dininni	Johnson	Phillips	Taylor, E. Z.
Dorr	Kennedy	Pott	Vroon
Durham	Klingaman	Reber	Wass
Fargo	Lehr	Reinard	Weston
Fischer	Levi	Robbins	Wogan
Flick			

NOT VOTING—5

Cessar	Markosek	Mayernik	Van Horne
Cowell			

EXCUSED—1

Stevens

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

On the question recurring,

Will the House agree to the amendments?

The clerk read the following amendments No. A1086:

Amend Sec. 5, page 3, lines 26 through 29, by striking out all of said lines and inserting

(2) The mortgagor has received notice under section 8(a) of the availability of mortgage assistance payments.

Amend Sec. 5, page 4, line 4, by inserting a period after "control"

Amend Sec. 5, page 4, lines 4 through 6, by striking out "which render the" in line 4 and all of lines 5 and 6

Amend Sec. 8, page 9, lines 12 through 30; page 10, lines 1 through 6, by striking out all of said lines on said pages and inserting

(a) Time of application.—Before any writ enforcing a judgment entered by a court of competent jurisdiction, to recover under a residential real estate mortgage obligation, may be executed by the sheriff of any county, the mortgagor shall have an opportunity to apply for mortgage assistance under the provisions of this act. Notice of availability of such assistance shall be given to the mortgagor by the mortgagee whenever the mortgagee files a praecipe for the writ with the prothonotary of the county in which judgment has been entered. Execution of the writ shall be stayed for 30 days to allow the mortgagor to apply for assistance. If the mortgagor applies for aid, the stay shall continue until the secretary makes a determination on the application.

Amend Sec. 8, page 10, line 7, by striking out “(c)” and inserting

(b)

Amend Sec. 8, page 10, line 9, by striking out “sheriffs’ sales have not been consummated” and inserting

judgments have been entered but which have not been consummated in sheriffs’ sales

Amend Sec. 8, page 10, lines 16 through 22, by striking out “Such stay shall” in line 16 and all of lines 17 through 22

On the question recurring,

Will the House agree to the amendments?

The SPEAKER. Does the gentleman from Westmoreland, Mr. Kukovich, desire recognition on the amendment?

Mr. KUKOVICH. Yes, I do, Mr. Speaker.

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

Mr. KUKOVICH. The amendment appears to be more damaging for a number of reasons than we had originally anticipated during the debate. For one thing, it changes the criteria section in a way that liberalizes it even more, which I do not think the gentleman intended, because it deletes language on page 4, lines 4 through 6. If Mr. Reber has a chance to look at that, at the end of line 4 it talks about, “which render the mortgagor unable to correct the delinquency within a reasonable time or make full mortgage payments.” So it unduly opens that up. We think that is a problem.

Secondly, it skewers all the timing elements within the bill - the timing for housing delinquency, of counseling, all the elements - and the bill is replete with that as to timing. The 30-day requirement would throw that akilter.

So it is actually much more damaging to the bill and to the intent of the eligibility criteria than we had originally anticipated. I think for that reason, for both of those reasons, that on reconsideration we should vote against the amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Montgomery, Mr. Reber, on the Reber amendment.

Mr. REBER. Thank you, Mr. Speaker.

Frankly, I am not going to reiterate the dissertation that we had the last time in support of this legislation, in particular this amendment, but I do think that the comments that Mr. Kukovich made at the present time really in no way, shape, or form render any damaging effect to the intent behind what this House a few moments ago voted 126 to 75 to carry out. I think it is the will of that 126-to-75 majority on the prior vote to see a meaningful piece of legislation be enacted.

The language that was stricken on page 4 that was noted by Mr. Kukovich is done certainly for conformity to the intent that was specifically expressed earlier during this debate. And the 30-day period that was just mentioned relative to the time for application and the ultimate stay is very protective, because you have 30 days to make application, and if the individual does make application and desires not to have his home go to a forced judicial sale, there is an automatic stay indefinitely once the Secretary approves that application. So there is total protection for that individual who is desirous of making application under the program.

Again, for the reasons set forth earlier, I would ask for an affirmative vote on this particular amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Fayette, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

I would rise to ask for a negative vote on this amendment. After looking at it a little more carefully, the amendment in effect carries over on one section from page 9 to 10 and takes out the language which we found throughout our public hearings and our visitation to Pittsburgh with Action Housing, the Philadelphia Unemployment Council, and that was that at least one meeting should occur between the mortgagee and the mortgagor. There should and has to be at least one meeting to occur. If the bank would fail to attend that meeting, they would not qualify for the program in counseling, and if the individual failed to appear for counseling, he could not get into the program. This really gets at the heart, I believe, of the counseling, because if we take out that one mandatory meeting, we are going to open it up to where we will have additional problems, and all the testimony we heard was that that meeting ought to take place, at least one of them. I would ask for a negative vote on the amendment based on that.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. REBER. Thank you, Mr. Speaker.

Not to belabor the point, but I think every member should be aware of the fact that to feel that the first meeting that is taking place is at this particular end of the spectrum is being very facetious to say the least. In a situation like this there is a tremendous amount of communication that is going to go on between a delinquent debtor and a mortgagee. There is also the protection that we already have very wisely put into legislation in the Commonwealth in Act 6 of 1974, which is the 30-day notice of intent to foreclose, which in effect is inviting again, in writing, certified mail, receipt, return, deliver, what have you, that particular delinquent individual to come forward for a full and complete explanation as to the delinquency. So there we already have two.

Now we also have, as drafted in this amendment, a third opportunity at time of filing of a praecipe for execution bringing about a residential forced sale, a 30-day stay which will give time again and notification again of let us sit down and meet if it is necessary.

So there are three opportunities to sit down and meet. I think the necessity for this to take place long before is already existent in practical aspects, in practical concerns, and is certainly embodied in Act 6 already and is doubly inserted in the amendment as set forth. I do not think there is need for additional time, for additional meetings or opportunities for meetings or opportunities to be heard. It is already afforded by law and by practical bank practices. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. TAYLOR. I would like to emphasize once again to the House members that in our travels and in our testimony we have found that these people would not go in and in most cases delay, delay, delay. These people who are working with the unemployed brought to our attention that the sooner that you can get to this problem, the less cost it is going to be to the State and the less arrearages you are going to have to pick up, and you are going to get these people under counseling and guidance the sooner the better, because the longer it is a delay—and this would be a delaying process—I am fearful that this program will continue to cost us more money. I think that to strike this section out really gets at the heart of the counseling and the mandatory meeting, because they have said time and time again that the delay went on for 6 or 7 months, and if you start that, then you have arrearages of 6, 7, 8, or 9 months. If they can get to them immediately, this is the best procedure, by mandating at least one meeting before any of them can qualify, and the sooner they get to it, the better. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—101

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

NAYS—101

Afflerbach	Duffy	Lucyk	Saloom
Alderette	Evans	McCall	Seventy
Baldwin	Fattah	McHale	Showers
Barber	Fee	McIntyre	Steighner
Battisto	Freeman	McMonagle	Stewart
Belfanti	Gallagher	Manderino	Stuban
Beloff	Gamble	Markosek	Sweet
Blaum	George	Mayernik	Taylor, F. E.
Broujos	Gruitza	Michlovic	Telek
Caltagirone	Haluska	Miscevich	Tigue
Cappabianca	Harper	Morris	Trello
Carn	Hoeffel	Mrkonc	Truman
Clark	Hutchinson	Murphy	Van Horne
Cohen	Itkin	O'Donnell	Wachob
Colafella	Jarolin	Olasz	Wambach
Cole	Kasunic	Oliver	Wargo
Cordisco	Kosinski	Petrarca	Wiggins
Cowell	Kowalyszyn	Petrone	Williams
Coy	Kukovich	Pievsky	Wozniak
Deluca	Laughlin	Pistella	Wright, D. R.
DeWeese	Lescovitz	Pratt	Wright, R. C.
Daley	Letterman	Preston	Zwilk
Dawida	Levin	Rappaport	
Deal	Linton	Richardson	Irvis,
Dombrowski	Livengood	Rieger	Speaker
Donatucci	Lloyd	Rybak	

NOT VOTING—0

EXCUSED—1

Stevens

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

On the question recurring,

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

AMENDMENT A0919 RECONSIDERED

The SPEAKER. The gentleman from Westmoreland, Mr. Kukovich, together with the gentleman from Fayette, Mr. Taylor, moves for the reconsideration of amendment A0919, which was passed on June 29, 1983, to HB 500.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—153

Afflerbach	Durham	Livengood	Richardson
Alderette	Evans	Lloyd	Rudy
Armstrong	Fargo	Lucyk	Ryan
Arty	Fattah	McCall	Rybak
Baldwin	Fee	McClatchy	Saloom
Barber	Flick	McHale	Salvatore
Belardi	Foster, W. W.	McIntyre	Serafini
Belfanti	Foster, Jr., A.	McMonagle	Seventy
Beloff	Freeman	Maiale	Showers
Blaum	Freind	Manderino	Smith, B.
Bowser	Fryer	Manmiller	Snyder, D. W.
Boyes	Gallagher	Markosek	Spitz
Brandt	Gamble	Marmion	Stairs
Broujos	Gannon	Mayernik	Steighner
Burd	Geist	Merry	Stewart
Burns	George	Michlovic	Stuban
Caltagirone	Greenwood	Micozzie	Sweet
Cappabianca	Grieco	Miscevich	Swift
Carn	Gruitza	Moehlmann	Taylor, F. E.

Cawley	Gruppo	Morris	Telek
Cimini	Haluska	Mrkonic	Tigue
Civera	Harper	Murphy	Trello
Clark	Hoeffel	O'Brien	Truman
Cohen	Honaman	Olasz	Van Horne
Colafella	Itkin	Oliver	Wachob
Cole	Jackson	Perzel	Wambach
Cordisco	Jarolin	Peterson	Wargo
Coslett	Johnson	Petrarca	Wiggins
Cowell	Kasunic	Petrone	Williams
Coy	Kosinski	Piccola	Wilson
Deluca	Kowalyszyn	Pievsky	Wogan
DeVerter	Kukovich	Pistella	Wozniak
DeWeese	Lashinger	Pitts	Wright, D. R.
Daley	Laughlin	Pott	Wright, R. C.
Dawida	Lescovitz	Pratt	Zwikl
Deal	Letterman	Preston	
Dombrowski	Levi	Punt	Irvis,
Donatucci	Levin	Rappaport	Speaker
Duffy	Linton	Reinard	

NAYS—45

Angstadt	Gladeck	Mackowski	Schuler
Book	Godshall	Madigan	Semmel
Bunt	Hagarty	Mowery	Sirianni
Cessar	Hasay	Nahill	Smith, L. E.
Clymer	Hayes	Noye	Snyder, G. M.
Cornell	Herman	Phillips	Spencer
Davies	Hershey	Reber	Taylor, E. Z.
Dietz	Kennedy	Rieger	Vroon
Dininni	Klingaman	Robbins	Wass
Dorr	Lehr	Saurman	Weston
Fischer	McVerry	Scheetz	Wright, J. L.
Gallen			

NOT VOTING—4

Battisto	Hutchinson	Miller	O'Donnell
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EXCUSED—1

Stevens

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

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

The clerk read the following amendment No. A0919:

Amend Sec. 5, page 5, by inserting between lines 7 and 8
(8) The secretary has determined, based on the mortgagor's financial statement, that the mortgagor has insufficient household income or net worth to correct the delinquency within a reasonable period of time, or make full mortgage payments.

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

The SPEAKER. The Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, this amendment was approved 102 to 97. I thought the House in its wisdom acted very well, because as we debated this amendment before, this is the amendment that would require the Secretary to use the financial disclosure statement which is submitted by the applicant as a condition for approving the assistance.

Now, we had a couple of hypotheticals here a while ago that I think further demonstrate the need for this amendment. In the case of Representative Burns, who bought a boat while he was working and then found himself unemployed, the boat

would show up on his financial disclosure statement and the Secretary would be required to use that information in determining eligibility for this program.

I think this amendment is very necessary so that all the facts are presented in order that only qualified people become eligible for this program. I was really surprised at the reconsideration motion, and I ask that you give us another affirmative vote on this amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Fayette, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

I would ask for a negative vote on this amendment. Basically, we have the eligibility criteria as established by HUD. We have the determination. We have those things in the bill. To add this addition to it, I do not think it is in the best interest of the applicants. As it stands now, they have to produce a financial statement, and this adds another layer on top of that. I think that the wording of the bill as it presently is is sufficient to cover it, and I ask for a negative vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, for the second time on the amendment, the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, I hope we can keep this in the proper perspective.

This is no additional burden on the applicant. According to the provisions of the bill presently, the applicant has to submit the financial disclosure statement. We are only asking that the Secretary, who is going to administer this program, take a look at it and use that in determining eligibility. I do not think that is unreasonable, and I continue to ask for your support.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Berks, Mr. Gallen.

Mr. GALLEN. Mr. Speaker, earlier Mr. Laughlin got into the debate on this amendment, and, Mr. Speaker, all Mr. Smith is really trying to say is that a person could really be of means, have money but not have a large income. I think all this would do would be to disclose the fact that the person was of considerable means. Mr. Speaker, I think it is a very legitimate amendment.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. LLOYD. Thank you, Mr. Speaker.

I voted for this amendment before, but unless I can get a better explanation, I am going to vote against it this time, because it seems to me that there is an inconsistency between the section which Mr. Smith wants to add and section (5) which already appears on page 4 of the bill. Section (5) says that you can get assistance if the Secretary has— Let us read it in context. It says, "No assistance may be made with respect to a mortgage...unless:...The secretary has determined that there is a reasonable prospect that the mortgagor will be able to resume...payments within 36 months...." Now, if I understand Mr. Smith's amendment, what he is saying is we are

now adding a different test which is not 36 months but which is something called a reasonable time. That seems to be inconsistent, and it is going to cause a whole lot of confusion. So I would have to agree with the gentleman, Mr. Taylor, that this amendment, while well intended, is going to cause confusion rather than simplification.

In addition, Mr. Speaker, it is not at all clear to me why, if the financial statement has to be submitted under other sections of the bill, why the Secretary in making the determination under section (5) will not take into account the information in the financial statement. So it seems to me that the gentleman's amendment is really unnecessary and confusing and ought to be rejected. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the amendment, the Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, I only have difficulty with Mr. Smith's amendment in one area, and that is on the third line of his amendment. It says, "...that the mortgagor has insufficient household income...." That is a portion that would certainly deny many of our people an opportunity to secure a mortgage if in fact they have been laid off for a period of time and then had the prospect a few months down the road of having a job. These very people may have been cut off from an opportunity to receive a mortgage, and then they turn around and get a job, and by then their home is sold. So I do not think Mr. Smith's amendment is in the best interest of the people I represent, and I would ask a "no" vote. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—105

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

NAYS—97

Alderette	Evans	Lucyk	Saloom
Baldwin	Fattah	McCall	Seventy
Barber	Fee	McHale	Showers
Battisto	Freeman	McIntyre	Steighner
Belfanti	Gallagher	McMonagle	Stewart
Blaum	Gamble	Manderino	Stuban
Broujos	George	Markosek	Sweet
Caltagirone	Gruitza	Mayernik	Taylor, F. E.
Cappabianca	Haluska	Michlovic	Telek
Carn	Harper	Miscevich	Tigue
Cawley	Hoeffel	Mrkonic	Trello
Clark	Hutchinson	Murphy	Truman
Cohen	Itkin	O'Donnell	Van Horne
Colafella	Jarolin	Olasz	Wachob
Cole	Kasunic	Oliver	Wambach
Cordisco	Kosinski	Petrarca	Wargo
Cowell	Kowalshyn	Petrone	Wiggins
Deluca	Kukovich	Pievsky	Williams
DeWeese	Laughlin	Pistella	Wozniak
Daley	Lescovitz	Pratt	Wright, D. R.
Dawida	Letterman	Preston	Zwikl
Deal	Levin	Richardson	
Dombrowski	Linton	Rieger	Irvis,
Donatucci	Livengood	Rudy	Speaker
Duffy	Lloyd	Rybak	

NOT VOTING—0

EXCUSED—1

Stevens

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

On the question recurring,

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

AMENDMENT A0920 RECONSIDERED

The SPEAKER. The Chair has before it a reconsideration motion signed by the gentleman from Bucks, Mr. Burns, and the gentleman from Bucks, Mr. Reinard. The gentleman, Mr. Burns, moves that the vote by which amendment A0920 to HB 500 was defeated on the 29th day of June 1983 be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—188

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

Burns	Greenwood	Miscevich	Steighner
Caltagirone	Grieco	Moehlmann	Stewart
Cappabianca	Gruitzza	Morris	Stuban
Carn	Gruppo	Mrkonic	Sweet
Cawley	Haluska	Murphy	Swift
Cessar	Harper	O'Brien	Taylor, E. Z.
Cimini	Hayes	O'Donnell	Taylor, F. E.
Civera	Herman	Olasz	Telek
Clark	Hershey	Oliver	Tigue
Clymer	Hoeffel	Perzel	Trello
Cohen	Honaman	Peterson	Truman
Colafiglia	Hutchinson	Petrarca	Van Horne
Cole	Itkin	Petrone	Vroon
Cordisco	Jackson	Phillips	Wachob
Coslett	Jarolin	Piccola	Wambach
Cowell	Johnson	Pievsky	Wargo
Coy	Kasunic	Pistella	Wass
Deluca	Klingaman	Pitts	Weston
DeVerter	Kosinski	Pott	Wiggins
DeWeese	Kowalshyn	Pratt	Williams
Davies	Kukovich	Preston	Wilson
Deal	Lashingier	Punt	Wogan
Dietz	Laughlin	Rappaport	Wozniak
Dininni	Lehr	Reber	Wright, D. R.
Dombrowski	Lescovitz	Reinard	Wright, R. C.
Donatucci	Letterman	Richardson	Zwinkl
Dorr	Levi	Rieger	
Duffy	Levin	Robbins	Irvis,
Durham	Linton	Rudy	Speaker
Evans	Livengood		

NAYS—11

Cornell	Hagarty	Mowery	Smith, L. E.
Daley	Hasay	Nahill	Wright, J. L.
Dawida	Kennedy	Noye	

NOT VOTING—3

Belfanti	Madigan	Mayernik
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EXCUSED—1

Stevens

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

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

The clerk read the following amendments No. A0920:

Amend Sec. 5, page 3, line 15, by inserting after "Requirements.—"

Assistance under this act shall be limited to first lien mortgages on residential real estate.

Amend Sec. 5, page 3, line 16, by striking out "a mortgage" and inserting

such first lien mortgages

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

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

Mr. BURNS. Thank you, Mr. Speaker.

We are back to the boat.

Mr. TAYLOR. Being an old Navy man, I know why you picked the boat.

Mr. BURNS. Well, as I told the Speaker, I spent my time in naval air, not on the water too much.

I would like to just tell everybody why I am so upset about this. This speaks to second mortgages, and what I see happen-

ing here is the possibility of a person buying a boat with a second mortgage or buying anything with a second mortgage while he is employed. Then he or she gets laid off. Now there is nowhere in the HUD regulations—and they are regulations; they can be changed by an advertisement in the Federal Register—there is nothing anywhere demanding that the Secretary who reviews this whole thing make that person get rid of the boat or any other possession. When we failed to put a financial disclosure item in here—that just failed when Mr. Smith's amendment failed—now you have a possibility where a person can really be of means, have a lot of assets, but still go out and have the people of the Commonwealth paying for his second mortgage, and I just think that is totally wrong.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Fayette, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

In the practical world, Mr. Speaker, what has happened under HUD's regulation, and it specifically says, "within their control." Now, for all practical purposes, they say that if you do not sell that boat, you are not going to get help, and on top of that, they can do it on the first mortgage. But for practical purposes, HUD's regulation means that you have that control over that. You have that equity in the boat. If you do not sell that boat—that is within your control—then you are not going to be eligible for the program. That is the way they have interpreted it; that is the way they have used it down through the years. That is the only answer I can give you. That is what I have been told.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman from Schuylkill, Mr. Baldwin, seek recognition on the amendment?

Mr. BALDWIN. Thank you, Mr. Speaker.

I voted in the negative initially on this amendment, but I am going to support this amendment at this time because I have had a chance to think it through, and what it does is eliminate this program for second-mortgage liens. In the practical world, most times a second mortgagee will not foreclose because the first mortgagee is going to get all the equity, but if we have this program applied to second mortgages, I think it is going to encourage more foreclosures for the second mortgagee because they will have a greater chance of forcing the creditor into this program, have the State pick up the tab, and then maybe the creditor cannot pay the first mortgage anyway; the homeowner loses his home on a foreclosure from the first mortgage, and the State is out the money.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, very briefly, as often as second mortgages might be used for boats, I am sure that second mortgages are more often used with expanding families, to add rooms to homes to provide shelter for a family, and the analogy that you give is just as likely to happen on a first mortgage, as the gentleman, Mr. Taylor, submitted.

I think, you know, bad cases make bad law, and we ought to allow those persons who have financed homes and addi-

tions to homes through second mortgages and first mortgages the same opportunity for relief that is needed when they are unemployed, when they are unable to make their mortgage payments and they are eligible under the terms of this mortgage foreclosure prevention act. I ask for a negative vote on this amendment, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in opposition to this amendment. I believe that what we are really saying to people is that if you are going to take care of any mortgage whatsoever, take care of the first mortgage. These people can step back and they can sit there and they can say, look, I have not foreclosed on anybody, because the people in the second mortgage are going to be the ones who foreclosed on them. That is all it is; it is a fight to see which one is going to win in this battle. I would suggest that we vote "no" and let them both lose.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Cumberland, Mr. Broujos.

Mr. BROUJOS. One matter that the members should consider is the new Bankruptcy Act, which has the effect of compelling banks and savings institutions to in fact emplace a mortgage on the property rather than take a judgment. Now, that means that many judgments that ordinarily would go on will now go on as a mortgage. That would appear to support the position of Mr. Burns. However, at the same time, many of these institutions in the loans that they are advancing are putting on those mortgages as a second mortgage, which is the bulk sometimes of the obligation of the borrower which cannot be paid. So the conclusion I have is that it really needs further refinement, because on the one hand you can use any ordinary judgment ordinarily imposed previously, now entered as a mortgage, for potentially a reason for relief, but on the other hand they may need that relief because that second mortgage may be the bulk of the obligation which the person has and they may really need assistance. I submit that for the benefit of the members. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. AFFLERBACH. Thank you, Mr. Speaker.

I, too, rise in opposition to this amendment and to further substantiate Mr. Broujos' remarks. Prior to approximately 4 years ago, it was common practice for a family who wished to add an addition to their home or to make a major repair to simply refinance the first mortgage. With the rapid escalation of interest rates, however, it became obvious to families who already had considerable equity in their property that it was actually less expensive for them to finance the improvement by taking a second mortgage and maintaining their first mortgage at the much lower interest rate they received some 20 years prior perhaps. Consequently, we now have families who, as Mr. Broujos said, have a second mortgage used very

legitimately to maintain their home which is actually the bulk of their mortgage payment.

I think to restrict the bill to first mortgages only would leave those families out in the cold, essentially through no fault of their own, because due to the interest rate situation, they were making a very judicious decision to do it that way. I urge defeat of the amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, for the second time on the amendment, the gentleman from Bucks, Mr. Burns.

Mr. BURNS. Thank you, Mr. Speaker.

Mr. Speaker, I do not want to leave anyone with the impression that I am trying to stop a person who has at some time or another put an addition onto his home, put on a new roof, put a new heater in, or whatever he may have done in order to get the second mortgage. I agree with those kinds of things, and if this bill only spoke to those kinds of things, I would not be at the microphone.

I contend, however, that under the present bill, a person could, hypothetically, go out and have other assets that will not be taken away from him. If there was one line in here that said, hey, you cannot have that boat or you cannot have those five cars in the driveway, you can only have one or two to get to work in, or you cannot have that swimming pool or whatever it is and still apply for this program, you have to get rid of it first, if there was just one line in there that said they had to do that, I would go along with it. I have no objection to second mortgages, but the problem is that I think you are going to be back here at a certain given time—if this bill becomes law in its present condition—I think you are going to be back here and you are going to say, wait a minute, we have to correct this, and I am just asking you to correct it before it starts; that is all.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—99

Angstadt	Foster, W. W.	Lucyk	Robbins
Armstrong	Foster, Jr., A.	McClatchy	Rudy
Arty	Freind	McVerry	Ryan
Baldwin	Fryer	Mackowski	Salvatore
Belardi	Gallen	Madigan	Saurman
Book	Gannon	Maiale	Scheetz
Bowser	Geist	Manmiller	Schuler
Boyes	Gladeck	Marmion	Semmel
Brandt	Godshall	Merry	Serafini
Bunt	Greenwood	Micozzie	Sirianni
Burd	Grieco	Miller	Smith, B.
Burns	Gruppo	Moehlmann	Smith, L. E.
Cessar	Hagarty	Mowery	Snyder, G. M.
Cimini	Hasay	Nahill	Spencer
Civera	Hayes	Noye	Spitz
Clymer	Herman	O'Brien	Sweet
Cornell	Hershey	Perzel	Swift
Coslett	Honaman	Peterson	Taylor, E. Z.
DeVerter	Jackson	Phillips	Vroon
Davies	Johnson	Piccola	Wass
Dietz	Kennedy	Pitts	Weston
Dininni	Klingaman	Pott	Wilson
Durham	Lashingner	Punt	Wogan
Fargo	Lehr	Reber	Wright, J. L.

Flick	Levi	Reinard	
		NAYS—101	
Afflerbach	Duffy	Lloyd	Saloom
Alderette	Evans	McCall	Seventy
Barber	Fattah	McHale	Showers
Battisto	Fee	McIntyre	Snyder, D. W.
Belfanti	Fischer	McMonagle	Steighner
Blaum	Freeman	Manderino	Stewart
Broujos	Gallagher	Markosek	Stuban
Caltagirone	Gamble	Mayernik	Taylor, F. E.
Cappabianca	George	Michlovic	Telek
Carn	Gruitza	Miscevich	Tigue
Cawley	Haluska	Morris	Trello
Clark	Harper	Mrkonic	Truman
Cohen	Hoeffel	Murphy	Van Horne
Colafella	Hutchinson	O'Donnell	Wachob
Cole	Itkin	Olasz	Wambach
Cordisco	Jarolin	Oliver	Wargo
Cowell	Kasunic	Petrarca	Wiggins
Coy	Kosinski	Petrone	Williams
Deluca	Kowalyszyn	Pievsky	Wozniak
DeWeese	Kukovich	Pistella	Wright, D. R.
Daley	Laughlin	Pratt	Wright, R. C.
Dawida	Lescovitz	Preston	Zwikl
Deal	Letterman	Rappaport	
Dombrowski	Levin	Richardson	Irvis,
Donatucci	Linton	Rieger	Speaker
Dorr	Livengood	Rybak	

NOT VOTING—2

Beloff Stairs

EXCUSED—1

Stevens

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

On the question recurring,

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

AMENDMENT A1094 RECONSIDERED

The SPEAKER. The Chair has before him a reconsideration motion signed by the gentleman from York, Mr. Snyder, and by the minority leader, who move that the vote by which amendment A1094 to HB 500 was defeated on the 29th day of June 1983 be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—179

Afflerbach	Fargo	Levin	Robbins
Alderette	Fee	Linton	Rudy
Angstadt	Fischer	Livengood	Ryan
Armstrong	Flick	Lloyd	Rybak
Arty	Foster, W. W.	Lucyk	Saloom
Baldwin	Foster, Jr., A.	McCall	Saurman
Barber	Freeman	McClatchy	Scheetz
Battisto	Freind	McHale	Schuler
Belardi	Fryer	McIntyre	Semmel
Belfanti	Gallagher	McVerry	Serafini
Beloff	Gallen	Mackowski	Showers
Book	Gamble	Madigan	Sirianni
Bowser	Gannon	Maiale	Smith, B.
Boyes	Geist	Manderino	Smith, L. E.
Brandt	George	Manmiller	Snyder, D. W.

Broujos	Gladeck	Marmion	Snyder, G. M.
Bunt	Greenwood	Merry	Spencer
Burd	Grieco	Michlovic	Spitz
Burns	Gruitza	Micozzie	Stairs
Caltagirone	Gruppo	Miller	Steighner
Cappabianca	Hagarty	Miscevich	Stewart
Carn	Haluska	Morris	Stuban
Cawley	Harper	Mowery	Sweet
Cessar	Hasay	Mrkonic	Swift
Cimini	Hayes	Murphy	Taylor, E. Z.
Civera	Herman	Nahill	Taylor, F. E.
Clymer	Hershey	Noye	Telek
Cohen	Hoeffel	O'Donnell	Tigue
Colafella	Honaman	Oliver	Trello
Cole	Hutchinson	Peterson	Van Horne
Cordisco	Itkin	Petrarca	Vroon
Cornell	Jackson	Petrone	Wachob
Coslett	Jarolin	Phillips	Wambach
Cowell	Johnson	Piccola	Wargo
Coy	Kasunic	Pievsky	Wass
DeVerter	Kennedy	Pitts	Weston
DeWeese	Klingaman	Pott	Williams
Davies	Kosinski	Pratt	Wilson
Deal	Kowalyszyn	Preston	Wozniak
Dietz	Kukovich	Punt	Wright, D. R.
Dininni	Lashingner	Rappaport	Wright, R. C.
Dombrowski	Laughlin	Reber	Zwikl
Donatucci	Lehr	Reinard	
Dorr	Lescovitz	Richardson	Irvis,
Duffy	Levi	Rieger	Speaker
Durham			

NAYS—15

Blaum	Evans	McMonagle	Seventy
Clark	Fattah	Markosek	Wiggins
Daley	Godshall	Moehlmann	Wright, J. L.
Dawida	Letterman	Olasz	

NOT VOTING—8

Deluca	O'Brien	Pistella	Truman
Mayernik	Perzel	Salvatore	Wogan

EXCUSED—1

Stevens

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

On the question recurring,

Will the House agree to the amendment?

The clerk read the following amendment No. A1094:

Amend Sec. 5, page 4, lines 2 through 6, by striking out all of said lines and inserting

(4) The mortgagor meets all of the following conditions:

(i) The mortgagor is a permanent resident of this Commonwealth.

(ii) The mortgagor is involuntarily unemployed or suffering serious illness or injury which involuntary unemployment or illness or injury has been the dominant cause for the mortgagor's failure to make mortgage payments.

(iii) The delinquency of the mortgagor occurred after the mortgagor had become involuntarily unemployed or seriously ill or injured.

On the question recurring,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, the members may recall that I asked Mr. Kukovich a question dealing with hypothetical facts, and I received an answer which I then agreed with and promptly sat down. It appears that perhaps there was some misunderstanding by me as to the answer given by Mr. Kukovich, and it may be that I should not have sat down so quickly. I believe that this bill does not cover this situation where a person cosigns a note or guarantees a note for a mortgagor who has a job and finds that he has overextended himself with the mortgage, cannot pay it, falls within all the other limits, and I believe at that point that man or woman could qualify under this program.

Now, I agree with what Mr. Snyder had said earlier. We are all here today addressing an issue brought about by recent gross unemployment in this Commonwealth, and yet the bill as it is drafted and the limited resources it will carry with it, if it is properly funded, could indeed deprive the very people who are unemployed, who are suffering this temporary tragedy—hopefully temporary—could deny them the very relief that you are trying to help them with. I agree with Mr. Snyder when he states in effect that we should limit the availability of this remedy to those who are in fact unemployed, sick, disabled, for some reason beyond their control, and not just bad money managers.

I am going to guess that a high percentage of newlyweds who buy a home are able to do it only because somebody has cosigned for that loan, has signed a guarantee. It may be that in their ambition they have acquired a property that they really cannot afford to have, and having bought that property and having read this bill, find that they can immediately qualify for deferment of mortgage payments. It is on that basis that I suggest the Snyder amendment should be adopted, which would limit the relief under this bill to those who are unemployed, to those who are ill or have been injured, and these reasons are the dominant factor in their inability to make mortgage payments and not just that they are bad money managers. I think it is a worthwhile amendment, and it should definitely be supported.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. KUKOVICH. Mr. Speaker, two points. First, going back to the hypothetical, the more I thought about that, the more I realized that that hypothetical really does not pertain to this case. I do not know if we need to get into that, but if the hypothetical was that an individual perhaps overextends himself or herself and has somebody with a lot of money, like Mr. Ryan or Mr. Manderino, as cosigners, and at some point there is a default, I would submit to you that it would be very unlikely that that person would ever be an applicant in this program. I think the bank would be more than willing to hold that cosigner liable by law, as they normally would. I also think that section (4) at the top of page 4 would also fit that hypothetical example. I really do not perceive that as a problem.

Secondly, we go back to some of the arguments that were made before about the Snyder amendment. Again, it is easy to have this language on the surface look good, but it is just simply too rigid. I know of no program of its type, whether it is the HUD criteria we have been referring to or any other, which is so rigid.

Again, the arguments were made the last time we debated that we are going to discourage those individuals who might have part-time work, who are underemployed, who have been meeting their bills but for a number of external circumstances no longer can make those mortgage payments. They are now in default; they are faced with a writ of execution, and those individuals—and I would suggest there would not be that great a number—but there could be quite a few individuals in this Commonwealth lose their home through no fault of their own because of this amendment.

I think we have to allow the flexibility to the department to deal with these situations and prioritize appropriately. If we do not do that, then there is no way we can put into law the kind of rigid requirements that some of the members appear to want to do. I have to strenuously suggest that we have to vote “no” on weakening the criteria currently in the bill. It is not going to solve the problem I think Mr. Snyder wants to solve, and it is going to create hardships that we do not want to create.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, this is crazy. We all sit here and stand here today saying we want to help the poor guy who is unemployed through no fault of his own. There is only so much money to go around. I am telling you, designing persons can take a bill like this, which is absolutely fraught with inconsistencies and loosely-knit requirements, and make a living out of going out and buying properties and never paying the mortgages. The mortgage company in the example that I gave to Mr. Kukovich does not have to look to me. They are going to be paid by the State fund, and if they did not and if I were a designing person, I would say to my mortgage company or the bank, I will buy the mortgage because you have me on the guarantee; I will bring the foreclosure proceedings, and then let them apply to the State to be paid.

I mean, it is absolutely crazy. You are doing a disservice to the very people you are trying to help. There is only so much money for these programs, and I do not think this program was intended by most of the members of this House to take care of people who are bad money managers from the very beginning and bite off more than they can chew. What we intended to do was take care of the people who are unemployed where the plants closed down—that is what we have all said—not to take care of bad money managers who get too much credit. That is the banks’ problem; let them worry about it.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Ryan continues to try, with his hypotheticals, to shoot down a good bill. He is not talking

about the Snyder amendment. Your hypothetical of the condominium and you and I signing as guarantors, as unrealistic as that might be—

Mr. RYAN. You do not know my son.

Mr. MANDERINO. I know my willingness to be a guarantor.

As unrealistic as that situation might be, Mr. Speaker, the Snyder amendment does nothing to correct it, absolutely nothing. If your son happened to be unemployed when he went down to the bank and asked you and me to guarantee it and they lent him the money, this bill would give him the relief. Is that not right?

Mr. RYAN. If he was unemployed?

Mr. MANDERINO. Yes.

Mr. RYAN. Yes.

Mr. MANDERINO. And would the Snyder amendment help it? No.

Mr. RYAN. Was that a rhetorical question?

Mr. MANDERINO. It certainly was.

Mr. RYAN. Most of them are.

Mr. MANDERINO. It was a rhetorical question because it is obvious that you are nitpicking, as many of the amendments all day have been doing, and the Snyder amendment does nothing for the hypothetical that you present, absolutely nothing. What the Snyder amendment says only is—as opposed to what is in the bill now—we do not want people who are underemployed to get any relief from this bill; they must be unemployed; they must have no employment whatsoever. When a man is unemployed who has been used to a salary in the factory or at a decent job, and he has not only the obligation of a home mortgage but the feeding of his family and the upkeep of the car and, oh, so many other expenses, he certainly is going to go out and try to get enough cash together to keep as many of his obligations going as he can. And if his employment is such that he is unable, in the judgment of the people making the determination under the criteria, that he cannot make that mortgage payment, why should it make any difference whether he is totally unemployed or underemployed? That is all the Snyder amendment is about. It has nothing to do with your hypothetical.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority leader.

Mr. RYAN. My hypothetical, like so many other hypotheticals that have been given here today, is being used for the purpose of pointing out how poorly drafted the bill is. We do not have requirements in here that are going to assure that the fund that is eventually created is going to be available for the people we are trying to help, and that is those who are suffering as a result of a plant cutback or a plant shutdown. What we seem to be doing is trying to take care of everybody who has a problem in the Commonwealth, and we cannot keep shooting money at problems. Sometime, somewhere, someday, people are going to have to take care of themselves. And if they go into a bank and they do not have money, and if they go into a bank and they are underemployed at that time, then the bank should suffer for having extended that credit,

and the person should suffer for having gone in and applied for that credit. That is the objection I have - that the people you are trying to help are going to end up being harmed when the money is used up to take care of a lot of deadbeats in many cases.

The SPEAKER. The Chair thanks the gentleman.

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

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

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

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

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

Mr. Speaker, what was the motivating factor in the introduction of this piece of legislation?

Mr. KUKOVICH. Mr. Speaker, I would be glad to stand for the interrogation, but I think that might better serve after the amendment. I do not know if this is to the amendment or not.

Mr. A. C. FOSTER. I promise the Speaker that it is germane to the amendment. Perhaps I should ask with specificity about the language "...is suffering financial hardship due to circumstances beyond the mortgagor's control which render the mortgagor unable to correct the delinquency within a reasonable time...."

Mr. KUKOVICH. Again, Mr. Speaker, as I said before, we are tracking the HUD criteria for eligibility, because it has worked ever since the mid-1970's and because we want to maintain consistency and uniformity with the Federal Government, and that is why we tracked it. History has shown us that that flexibility is required to have a viable program.

Mr. A. C. FOSTER. Was the unemployment crisis a motivating factor for the introduction of the legislation?

Mr. KUKOVICH. I am sorry. Could you repeat that?

Mr. A. C. FOSTER. Was the unemployment crisis a motivating factor—

The SPEAKER. Will the gentleman yield.

Will the gentleman please get to the Snyder amendment? The Chair is prepared to allow leniency, but the Chair fails to follow the line of reasoning of the interrogator.

Mr. A. C. FOSTER. Thank you, Mr. Speaker. I will be precise then.

Mr. Speaker, do you not feel that in times of great unemployment it is necessary, through the application of the Snyder amendment, to allocate our resources directly toward that target?

Mr. KUKOVICH. I am not sure I heard all of that, but combining that with what I heard of the previous question, I think you are driving at the unemployment situation. I think the motivating influence behind most of this, the rationale by most of us who promoted and advocated this legislation, was to try to help those who through no fault of their own had been unemployed, had been making their payments, and were in trouble. Upon further investigation, what we found out

was that the unemployment situation and facts surrounding it lead to a whole host of problems. And although we can offer conjecture here that 90 to 99 percent of the people helped will be unemployed, there is a fraction of a percentage of people out there who again through no fault of their own, for some intervening, superseding cause, probably indirectly related to unemployment, are going to be in a difficult situation. I think we have got to allow the flexibility so that those individuals making the decisions pursuant to this act can decide where the priorities lie. I think that is the only proper and moral thing to do. That is in response to your question.

Mr. A. C. FOSTER. Mr. Speaker, had you introduced legislation with this same language prior to the unemployment situation?

The SPEAKER. The gentleman will yield.

The Chair is not going to permit this line of interrogation. The gentleman knows well how to phrase questions. He is an experienced legislator. Let him use his knowledge.

Mr. KUKOVICH. I will respond. Mr. Speaker, as I said before—

The SPEAKER. You are not required to respond to that.

Direct your questions to the Snyder amendment.

Mr. A. C. FOSTER. Thank you, Mr. Speaker. I will conclude my interrogation and make a brief statement, with the Chair's permission.

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

Mr. A. C. FOSTER. Mr. Speaker, the point I was trying to get at is the fact that I do not recall legislation with this language prior to the unemployment crisis that we presently experience. In other words, we did not seek to bail out everyone who had difficulties through financial difficulties beyond his control previously, when we well had the means to do so compared to our present circumstances. What I am saying is, if we did not do it then, I certainly think we should devote our resources to those people who need it, those who are unemployed, unable to meet their mortgage payments through unemployment, and we had better allocate our resources to them.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, on the question, the gentleman from Bucks, Mr. Cordisco.

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

The SPEAKER. The gentleman, Mr. Snyder, indicates he will so stand for interrogation. The gentleman, Mr. Cordisco, is in order and may proceed.

Mr. CORDISCO. Mr. Speaker, under your amendment, would a self-employed small businessman be entitled to the benefit of this program?

Mr. G. M. SNYDER. That depends on how the definition of "unemployed" is going to be used in applying this act.

Mr. CORDISCO. Mr. Speaker, can you give me the definition for "unemployed" in this particular amendment?

Mr. G. M. SNYDER. I cannot, because there is no definition in the act itself or in this amendment.

Mr. CORDISCO. Mr. Speaker, is it then possible under the amendment that a small businessman who is self-employed could be excluded, if the definition is taken from the UCC (Unemployment Compensation Code) regulations?

Mr. G. M. SNYDER. That is true, and by the same token, those who are underemployed but receiving unemployment compensation would be included.

Mr. CORDISCO. Mr. Speaker?

The SPEAKER. Has the gentleman concluded his interrogation?

Mr. CORDISCO. Yes, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman. The gentleman is recognized to make a statement on the Snyder amendment.

Mr. CORDISCO. Mr. Speaker, I believe during our economic times that there are a great number of self-employed businessmen—everything from selling brushes to probably owning your own little store on the corner—who are facing very difficult times and are going under due to the recession, and it is my opinion that under the current amendment, these particular individuals would be discriminated against in that they would not be able to apply for this particular program and the benefits thereof. For that reason and for the fact that we have done a tremendous job in trying to aid these small businessmen, with cooperation from both sides of the aisle, I think we would do a great injustice to leave these particular individuals out of this particular program, and I ask for a negative vote.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. PRESTON. Thank you, Mr. Speaker.

Will the minority leader stand for interrogation?

The SPEAKER. The gentleman, Mr. Ryan, indicates he will so stand. The gentleman, Mr. Preston, is in order and may proceed.

Mr. PRESTON. Thank you, Mr. Speaker.

Mr. Speaker, several times you have made mention about the unemployed, but continuously we forget about the underemployed.

The questions I have relate to some of the situations that have developed within my own district. One, I have had some people who were systems analysts, some of them were engineers, some of them worked within the steel mills, and some of them were in other forms of industrial jobs and made in the \$20,000 bracket. Presently some of these same individuals now have found part-time jobs. For example, one of them is working as a full-time clerk in the Sears store system; hopefully, he will get into a management training program. Because they have become underemployed in this issue, all four of these people are in the process of getting ready to lose their home.

Under the Snyder amendment, are you saying that you would support the fact that these individuals who have gone back into the mainstream, who are trying to gather a justifiable income to support their family, should lose their home under this amendment?

Mr. RYAN. I think what I am saying, my initial statement was to the effect that the bill was poorly drafted. If I were to have a shot, I guess—and perhaps I could be criticized for not amending it—if I were to set this up, I think there should be a financial disclosure; there should be a level at which you cannot qualify, perhaps dependent upon other assets that you have, particularly liquid assets.

I believe that the first goal that we should have is to take care of that person who is unemployed through no fault of his own. I think we are doing serious damage to that cause by allowing people to come in who are underemployed, particularly those who come in initially underemployed in their judgment, or who get too much credit for what their bankrolls can carry. If the Snyder amendment goes in, it will correct all of those problems and, unfortunately, would probably disqualify those people whom you make reference to.

Mr. PRESTON. So, in other words, what you are saying, Mr. Speaker, is that these people—and every single one of them had been at their particular company, major steel companies, for over 10 years—because they have strived and gone through unemployment for over a year and a half and have run out of benefits, you are saying, therefore, under the Snyder amendment, that you would support that these people would lose their homes?

Mr. RYAN. I am saying that under the terms of this bill as it is drafted—which I believe to be poorly drafted—and with the Snyder amendment, that would be the unfortunate result, yes.

Mr. PRESTON. Thank you, Mr. Speaker.

I would like to make a brief comment.

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

Mr. PRESTON. I think that as we strive here in the State of Pennsylvania to try to correct some of the errors that have been made in the previous several months, under the Snyder amendment, if adopted, we would be hurting those people who had at one time made a viable income, who have in some way gone back into the mainstream of trying to move up within a corporate structure or within a business; for an example, someone who at one time had been a draftsman and who got a job working in the McDonald's system and who now became underemployed working for minimum wage and who was trying to get in a management training program. As we talk about training and economic development, I feel that this amendment only defeats its purpose, and I would ask for a negative vote. Thank you.

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

Mr. VROON. Mr. Speaker, may I interrogate the maker of the amendment, please?

The SPEAKER. The gentleman from York, Mr. Snyder, indicates he will stand for interrogation. The gentleman, Mr. Vroon, is in order and may proceed.

Mr. VROON. Mr. Speaker, is it your intent to describe as unemployed only those who are covered by the unemployment program?

Mr. G. M. SNYDER. That is not my intent. I assume that the Secretary would have to promulgate the definition of "unemployment" for this bill.

Mr. VROON. Okay. Is it not true, therefore, Mr. Speaker, that Mr. Cordisco took the wrong conclusion altogether on this point, that if a person who had been self-employed all of a sudden lost his business and became unemployed, would he not be in this category?

Mr. G. M. SNYDER. I think that is entirely possible. I think that Mr. Cordisco perhaps wrongly and too quickly assumed that the definition of "unemployment" as contained in the Unemployment Compensation Law would be used. I do not think that is necessarily true.

Mr. VROON. Thank you, Mr. Speaker.

May I have a few comments, please?

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

Mr. VROON. Mr. Speaker, let us make this abundantly clear. Anybody who is involuntarily unemployed is what is meant here, for whatever reason. We are talking about the opposite language which is in the bill now and we are talking about people who suffer economic hardship.

Now, let us take an example of such hardship. Here is a person who is making \$50,000 a year, and he has bought a house and he has a \$1,000-a-month payment on his mortgage. This person loses his job, and in order to keep going, he takes a job for \$25,000 a year, and now he suffers economic hardship and he cannot keep up his mortgage payments of \$1,000 a month. Under the language of this bill, you would help that person and everybody else like him. Is that your intent? I do not think it is. It is not my intent. I only intend that we should help people who are truly in distress. I vote for a proper vote on this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the gentleman, Mr. Vroon, missed the entire point of the Cordisco discussion.

Let us go with another hypothetical, Mr. Speaker. I run a Ford agency. I sell automobiles. Last year I grossed enough money to earn myself \$50,000. The year before I earned \$50,000, and before that \$50,000. This year I lost \$8,000, and next year I may lose \$9,000. Am I unemployed? Am I entitled to the benefits of this act? Take it from a Ford agency to a man who runs a plumbing business who made only \$12,000 or \$15,000 and in the last couple of years, because of the economic situation, made \$3,000 and had to borrow more money just to keep going. Should he be entitled to this?

The definition that we have in the act of eligibility indicates that as long as the person is a permanent resident of the Commonwealth and is suffering financial hardship due to circumstances beyond the mortgagor's control which render the mortgagor unable to correct the delinquency within a reasonable time, he would be eligible. Every one of the small business people who are suffering—and we are in a time of high business bankruptcy today—would be eligible under the bill that we provide. None of those people would be eligible under

the Snyder amendment. Zero. They would have to be unemployed first. They would have to close the business to be unemployed. They would not be eligible.

On another point, Mr. Ryan seems to be picking on I keep saying the bill, because that is what he is picking on in talking about how poorly drafted it is, yet he is defending in his discussion the Snyder amendment that talks about unemployed, and nobody knows what that means. Mr. Snyder's simple explanation is that the bill does not define "unemployed." Well, certainly it does not. It never referred to the word "unemployed" until the Snyder amendment. He is the one who introduced the word into it and did not define it and leaves us without knowledge of what it means. I suggest that we defeat the Snyder amendment and get on with the passage of the bill.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. GANNON. I would like to interrogate the majority leader.

The SPEAKER. The majority leader indicates he will stand for interrogation. The gentleman, Mr. Gannon, is in order and may proceed.

Mr. GANNON. I would like to know, under this bill as it now stands, if the legislature fails to pass a budget and therefore does not receive their paychecks, putting some of the members in economic hardship, would the members of the legislature be entitled to the benefits of the bill?

Mr. MANDERINO. If, in fact, it was determined under the eligibility requirements that you were suffering financial hardship due to circumstances beyond your control—

Mr. GANNON. Well, that is up to you.

Mr. MANDERINO. —which rendered you unable to correct the delinquency within a reasonable time, I guess you would be eligible.

The SPEAKER. Does the gentleman, Mr. Gannon, wish to continue the interrogation?

Mr. GANNON. No, thank you, Mr. Speaker.

The SPEAKER. The Chair thinks the gentleman is well advised.

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

Mr. VROON. Mr. Speaker, I cannot help but reply to some of the instances cited by the majority leader.

I really cannot have any sympathy for the Ford dealer who made \$50,000 in a row 2 years or more and then has to maybe lose \$9,000 a year for the next 2 or 3 years. That is the risk of being in business, and if we are going to start bailing out every businessman in the Commonwealth, we are not going to have enough money to do it. This person is going to come back and he will certainly be able to negotiate a deferral of his payments because he has the asset of a business, and likewise with the plumber and with everybody else who is temporarily distressed. If they are in business, every banker who holds mortgages knows these people have a good business to rely on.

The majority leader said the word "unemployment" is not even addressed in this bill. In looking at the first page, it says, "...has driven large numbers of workers into unemployment..." Now, what in the wide world do we mean by that? Is it not quite apparent from the way this whole bill is addressed that we are talking about unemployed people? Now, let us get off this kick and address it and pass this amendment and make it mean what it should mean. We are going to help unemployed people.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—94

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

NAYS—105

Afflerbach	Duffy	McCall	Rybak
Alderette	Evans	McHale	Saloom
Baldwin	Fee	McIntyre	Seventy
Barber	Freeman	McMonagle	Showers
Battisto	Fryer	Maiale	Steighner
Belfanti	Gallagher	Manderino	Stewart
Beloff	Gamble	Markosek	Stuban
Blaum	George	Mayernik	Sweet
Broujos	Gruitza	Michlovic	Taylor, F. E.
Caltagirone	Haluska	Miscevich	Telek
Cappabianca	Harper	Morris	Tigue
Carn	Hasay	Mrkonic	Trello
Cawley	Hutchinson	Murphy	Truman
Clark	Itkin	O'Donnell	Van Horne
Cohen	Jarolin	Olasz	Wachob
Colafella	Kasunic	Oliver	Wambach
Cole	Kosinski	Petrarca	Wargo
Cordisco	Kowalshyn	Petrone	Wiggins
Cowell	Kukovich	Pievsky	Williams
Coy	Laughlin	Pistella	Wozniak
Deluca	Lescovitz	Pratt	Wright, D. R.
DeWeese	Letterman	Preston	Wright, R. C.
Daley	Levin	Punt	Zwilk
Dawida	Linton	Rappaport	
Deal	Livengood	Richardson	Irvis,
Dombrowski	Lloyd	Rieger	Speaker
Donatucci	Lucyk	Rudy	

NOT VOTING—3

Fattah Hoeffel Snyder, D. W.

EXCUSED—1

Stevens

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. POTT. I would like to speak on the bill, Mr. Speaker.

The SPEAKER. On that question, the Chair recognizes the gentleman from Allegheny, Mr. Pott.

Mr. POTT. Thank you, Mr. Speaker.

Several months ago HB 500 was introduced with considerable fanfare as an act to assist the unemployed in our Commonwealth. I believe that HB 500 goes far beyond just assisting unemployed.

As we have heard today, it assists underemployed. As we have also heard here today, it probably could be termed the "Legislators' Housing Assistance Act." It establishes an all-encompassing, very broad program which this Commonwealth will be forced for decades to fund. I caution you that the eligibility requirements in this legislation will not be narrowed; they will only be broadened, and as those eligibility requirements are broadened in the years to come, we will find ourselves being required to fund more and more and more for this act that we take here today.

I believe many of the amendments which we attempted to offer to this legislation were designed to tighten the eligibility for a very specific reason. The purpose of the bill states that the Commonwealth is in dire economic times; however, this legislation will go on and on when we come out of dire economic times. Even though there was a sunset amendment passed, I can guarantee you that when the act comes up for renewal, you will be under considerable pressure to renew the act and it will be around forever and ever.

I caution you very much about voting for a piece of legislation so broad, so all-encompassing, and so expensive that you are going to be required to fund it for many years to come. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Berks, Mr. Gallen.

Mr. GALLEN. Mr. Speaker, the motivation for this bill, that of helping the unemployed, is as good as the language of the bill is bad. Mr. Speaker, in an attempt to clean this bill up somewhat, the Smith, Reber, and Snyder amendments were offered; especially the Reber amendment was an extremely

important amendment. Those amendments were all reconsidered and subsequently voted down.

Mr. Speaker, it is conceivable under this bill that a person with a \$300,000 mortgage is going to qualify for help, just as a person with a \$10,000 mortgage will qualify for help. It mentions the unemployed in the first paragraph of the bill and never again, and it is not, it is not, a bill just for the unemployed; it is also a bill for, as Mr. Ryan pointed out, those people who manage not well. Mr. Speaker, it is a bill for those people who do not plan on their wives getting pregnant, and that is a circumstance which is probably beyond their control. I know in my case it was. And, Mr. Speaker, those people whose wives were no longer—

The SPEAKER. Will the gentleman yield.

Which one of the pints are you now denying?

Mr. GALLEN. None of those, Mr. Speaker.

The SPEAKER. I see. The gentleman may proceed.

Mr. GALLEN. But it is a bill which, when we put circumstances beyond your control, is open to too wide an interpretation.

Mr. Speaker, I do not know what the price tag is on this bill. Somebody said \$25 million was in the budget that passed here yesterday. Mr. Speaker, this bill could cost the citizens of the Commonwealth of Pennsylvania, both those employed and unemployed, many times the \$25 million which is earmarked. It is a brand-new welfare program, Mr. Speaker, a brand-new, untried welfare program, and I think it is a very bad bill. I ask for its defeat. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. EVANS. Mr. Speaker, I rise to support HB 500. In January of 1983 Representative Kukovich, Senator Singel, and a number of other members attempted to deal with the mortgage foreclosure issue, and as a result of our introducing one particular plan, Senator Jubelirer, Senator Vince Fumo, Senator Street, and others attempted to come up with their different ideas. Now it is June 29, and we are still trying to deal with the issue of mortgage foreclosure.

I heard the two previous speakers both expressing their point of view, and they talked about the idea of this being a welfare concept. But clearly those individuals in the State of Pennsylvania who are not as fortunate, maybe, as the people in this particular room to be able to pay their mortgages do not particularly see it that way. They see it, in my particular opinion, that we need to do something, that the lending institutions are not solving the problem. As much as they may be saying to you today that they are dealing with the problem, they are not dealing with the problem, because if they were dealing with the problem, we would not be having the large numbers of foreclosures that we are having in the State of Pennsylvania, and no matter if anybody says that it is not as bad as it used to be, it is bad any time somebody's house is foreclosed upon.

I would say to each and every one of us in this room, Democrat and Republican, clearly that we need to attempt to do

something; that the bottom line is that HB 500 is an attempt on this General Assembly's part to at least deal with the particular problem; and that we need to continue to understand that we can no longer wait for that national recovery or that international recovery, but we here in the State of Pennsylvania need to take a positive step to attempt to deal with the issue of mortgage foreclosure, and HB 500 is that particular attempt. So I would hope that it would get bipartisan support on both sides. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the gentleman from Indiana, Mr. Wass.

Mr. WASS. Mr. Speaker, may I interrogate Mr. Taylor, please?

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

Mr. WASS. Mr. Speaker, I would like to just ask you a question. In the event of a shortage of funds, how will we distribute these funds? How will my county, Indiana County, be appropriated?

Mr. TAYLOR. We are not appropriating it to counties. We are appropriating— The money is going to be a fund of \$25 million, and after the review, after consultation, after counseling, after the Secretary approves it, people will be from all over the State, and if they qualify and they are in the fund and the funds are appropriated now carrying it through, then next year we will have to fund it again.

Mr. WASS. Mr. Speaker, can you help me to understand how my people— Will there be a distribution among the counties? Will every county be favored in some method, or will it be on a first-come-first-served basis?

Mr. TAYLOR. For those who qualify under the criteria and they are in arrears, we are going to pick up 75 percent of the arrearage; the banks are going to have 25 percent they are going to be with, and then we are going to make the payments to them, if they qualify. From the statistics we have out there, there are probably around 6,000 of those right now who will qualify and about 2,000— I think the fiscal note is self-explanatory. If you would read the fiscal note, it calls for about \$25 million, and that is just about what we have been saying all along that we were going to need to fund the program.

Mr. WASS. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On final passage, the Chair recognizes the gentleman from Jefferson, Mr. Smith.

Mr. L. E. SMITH. Mr. Speaker, I am going to try to be brief. I have seen enough numbers here today that I could almost predict the final passage vote on this bill, but I do want to draw this to the attention of the members. So far we have seen in Pennsylvania a great effort on the part of banks and savings and loans to forbear, to do almost anything they could do to keep from taking these properties. We do not know for sure how many there are out there and nobody does. But I can tell you this: With the passage of this bill we are

going to destroy the incentive that the banks have demonstrated so far in forbearing, and they are simply going to say, we do not need to go through this anymore; here is \$25 million; we will just pick this off and hope they send us more.

The SPEAKER. The Chair thanks the gentleman.

On final passage, the Chair recognizes the gentleman, Mr. Taylor.

Mr. TAYLOR. Thank you, Mr. Speaker.

I just want to be brief and probably answer very briefly. I would just ask for an affirmative vote. There are thousands of Pennsylvanians, hard-working Pennsylvanians, out there who are suffering from economic conditions beyond their control, and I would ask for an affirmative vote. Let us get this program going, because they have been waiting for it. Let us get an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

MOTION TO RECOMMIT

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

Mr. FLICK. Mr. Speaker, I will take but 1 minute. I think this is a very important matter that we have before us today. It has been considered for some several months now, and we have had probably in the neighborhood of 20 to 25 amendments with some close votes and some reconsiderations, and I would suggest and I would recommend and I move that this bill be recommitted to the Business and Commerce Committee so that we can have further study on the merits.

The SPEAKER. It has been moved by the gentleman, Mr. Flick, that HB 500, PN 1227, be recommitted to the Committee on Business and Commerce.

On the question,

Will the House agree to the motion?

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

Mr. TAYLOR. Mr. Speaker, I would just like to inform the gentleman that we had 2 days of public hearings. I would seriously question that we can get any more out of this. I would strenuously object to that motion and would ask for a negative vote.

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

Mr. FLICK. Mr. Speaker, it is my understanding that while we normally take a summer recess, we will be here working. I think there is not one member here who would not vote for a good bill to provide mortgage assistance to those who are unemployed and those who are seriously ill and cannot make their payments. But the way this bill is drafted, as broad as it is, I think there are many of us who are going to have to vote in the negative on this bill, and we do not wish to do that. I do believe that if it is recommitted to Business and Commerce and some good heads are put together, we can come up with something more acceptable. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—76

Angstadt	Flick	Levi	Reber
Armstrong	Foster, W. W.	McClatchy	Robbins
Book	Foster, Jr., A.	McVerry	Ryan
Bowser	Freind	Mackowski	Salvatore
Boyes	Gallen	Madigan	Saurman
Brandt	Geist	Manmiller	Scheetz
Bunt	Gladeck	Marmion	Schuler
Burd	Godshall	Merry	Serafini
Cessar	Hagarty	Miller	Sirianni
Clymer	Hayes	Moehlmann	Smith, B.
Cornell	Herman	Mowery	Smith, L. E.
Coslett	Hershhey	Nahill	Snyder, G. M.
DeVerter	Honaman	Noye	Spencer
Davies	Jackson	O'Brien	Swift
Dietz	Johnson	Peterson	Taylor, E. Z.
Dininni	Kennedy	Phillips	Vroon
Dorr	Klingaman	Piccola	Wass
Durham	Lashinger	Pitts	Weston
Fargo	Lehr	Pott	Wogan

NAYS—126

Afflerbach	Duffy	Lloyd	Rybak
Alderette	Evans	Lucy	Saloom
Arty	Fattah	McCall	Semmel
Baldwin	Fee	McHale	Seventy
Barber	Fischer	McIntyre	Showers
Battisto	Freeman	McMonagle	Snyder, D. W.
Belardi	Fryer	Maiale	Spitz
Belfanti	Gallagher	Manderino	Stairs
Beloff	Gamble	Markosek	Steighner
Blaum	Gannon	Mayernik	Stewart
Broujos	George	Michlovic	Stuban
Burns	Greenwood	Micozzie	Sweet
Caltagirone	Grieco	Miscevich	Taylor, F. E.
Cappabianca	Gruitza	Morris	Telek
Carn	Gruppo	Mrkonic	Tigue
Cawley	Haluska	Murphy	Trello
Cimini	Harper	O'Donnell	Truman
Civera	Hasay	Olasz	Van Horne
Clark	Hoeffel	Oliver	Wachob
Cohen	Hutchinson	Perzel	Wambach
Colafella	Itkin	Petrarca	Wargo
Cole	Jarolin	Petrone	Wiggins
Cordisco	Kasunic	Pievsky	Williams
Cowell	Kosinski	Pistella	Wilson
Coy	Kowalshyn	Pratt	Wozniak
Deluca	Kukovich	Preston	Wright, D. R.
DeWeese	Laughlin	Punt	Wright, J. L.
Daley	Lescovitz	Rappaport	Wright, R. C.
Dawida	Letterman	Reinard	Zwinkl
Deal	Levin	Richardson	
Dombrowski	Linton	Rieger	Irvis,
Donatucci	Livengood	Rudy	Speaker

NOT VOTING—0

EXCUSED—1

Stevens

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

On the question recurring,
Shall the bill pass finally?

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

YEAS—143

Afflerbach	Fee	Lucy	Rudy
Alderette	Fischer	McCall	Rybak
Angstadt	Freeman	McHale	Saloom
Arty	Freind	McIntyre	Salvatore
Baldwin	Fryer	McMonagle	Semmel
Barber	Gallagher	McVerry	Seventy
Battisto	Gamble	Maiale	Showers
Belardi	Gannon	Manderino	Snyder, D. W.
Belfanti	George	Markosek	Spitz
Beloff	Greenwood	Mayernik	Stairs
Blaum	Grieco	Merry	Steighner
Burns	Gruitza	Michlovic	Stewart
Caltagirone	Gruppo	Micozzie	Stuban
Cappabianca	Haluska	Miscevich	Sweet
Carn	Harper	Morris	Taylor, F. E.
Cawley	Hasay	Mrkonic	Telek
Cimini	Hershhey	Murphy	Tigue
Civera	Hoeffel	O'Brien	Trello
Clark	Hutchinson	O'Donnell	Truman
Cohen	Itkin	Olasz	Van Horne
Colafella	Jarolin	Oliver	Wachob
Cole	Johnson	Perzel	Wambach
Cordisco	Kasunic	Petrarca	Wargo
Coslett	Kosinski	Petrone	Wass
Cowell	Kowalshyn	Phillips	Wiggins
Coy	Kukovich	Pievsky	Williams
Deluca	Lashinger	Pistella	Wilson
DeWeese	Laughlin	Pitts	Wogan
Daley	Lehr	Pratt	Wozniak
Dawida	Lescovitz	Preston	Wright, D. R.
Deal	Letterman	Punt	Wright, J. L.
Dombrowski	Levi	Rappaport	Wright, R. C.
Donatucci	Levin	Reber	Zwinkl
Duffy	Linton	Reinard	
Durham	Livengood	Richardson	Irvis,
Evans	Lloyd	Rieger	Speaker
Fattah			

NAYS—57

Armstrong	Dorr	Kennedy	Pott
Book	Fargo	Klingaman	Robbins
Bowser	Flick	McClatchy	Ryan
Boyes	Foster, W. W.	Mackowski	Saurman
Brandt	Foster, Jr., A.	Madigan	Scheetz
Broujos	Gallen	Manmiller	Schuler
Bunt	Geist	Marmion	Serafini
Burd	Gladeck	Miller	Sirianni
Cessar	Godshall	Moehlmann	Smith, B.
Clymer	Hagarty	Mowery	Smith, L. E.
Cornell	Hayes	Nahill	Snyder, G. M.
DeVerter	Herman	Noye	Spencer
Davies	Honaman	Peterson	Swift
Dietz	Jackson	Piccola	Vroon
Dininni			

NOT VOTING—2

Taylor, E. Z. Weston

EXCUSED—1

Stevens

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

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

* * *

The House proceeded to third consideration of **HB 1023, PN 1510**, entitled:

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

On the question,

Will the House agree to the bill on third consideration?

Mr. DORR offered the following amendment No. A1973:

Amend Sec. 1, page 1, line 14, by striking out all of said line and inserting

(1) For educational and general expenses and for participation by a representative of the institution, appointed by the Chief Executive Officer thereof, as a member of the Pennsylvania Academic Commission on Technological Development, a commission for inter-institutional communication regarding technological innovation and development and for dissemination of information on such matters to the Pennsylvania business community and others who may use such information for new business and job development in Pennsylvania, such commission to be composed of representatives of every State-owned or State-related educational or scientific institution receiving General Fund assistance from the Commonwealth..... \$109,041,000

On the question,

Will the House agree to the amendment?

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

Mr. DORR. Mr. Speaker, several weeks ago there was a seminar sponsored at the Penn Harris Hotel, which many of the members attended, having to do with economic development in Pennsylvania. One of the suggestions made at that seminar was that Pennsylvania ought to do a better job of coordinating the highly technical developments that are taking place within its academic institutions. The suggestion was that the Silicon Valley in California, for example, and the Massachusetts Technical Industrial Park developed around academic institutions which were in fact working very heavily in the field of new innovative ideas, and that Pennsylvania would benefit from better coordination of its own academic institutions in this regard.

The amendment that I would like to have the members consider to the nonpreferred appropriation bills simply encourages the universities to appoint a member to a coordinating commission which would be established and meet periodically to interchange ideas and to promote the growth of highly technical industry in Pennsylvania. The developments within the university within the academia very often get lost unless there is some coordination, some discussion of them and some ability to put them out into the public where hopefully entrepreneurs will be able to start businesses and create jobs developing on those ideas which are begun in the academic institutions.

I would ask for an affirmative vote on the amendment, Mr. Speaker.

The SPEAKER. Will the gentleman, Mr. Dorr, clarify for the Chair, what is the amount of money requested in his amendment? The Chair's copy could be read, \$109,041,000. I am sure that cannot be true.

Mr. DORR. Mr. Speaker, I think you have the wrong amendment. My amendment—

The SPEAKER. Amendment 1973 is the one I hold in my hand. Is that not the amendment you offered?

Mr. DORR. That, I think, is the same amount that is in the original bill, Mr. Speaker. All I am adding is language to the bill, the language that you see, the substantive language.

The SPEAKER. The Chair understands what the gentleman is saying. There is no change in the amount; it is additional language. We have checked it. The Chair thanks the gentleman.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, very briefly. Most of the universities and learning institutions that receive funding from the Commonwealth I think participate in these kinds of things whenever they are organized. I am not sure that there is authority necessary from the General Assembly to have a representative go in. We are not forcing them to do anything here, but to the extent that this might encourage them to participate in such activity, I would urge an affirmative vote, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—201

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

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

NAYS—0

NOT VOTING—1

Carn

EXCUSED—1

Stevens

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

On the question,

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

Mr. CALTAGIRONE offered the following amendments No. A1953:

Amend Bill, page 7, by inserting between lines 10 and 11

Section 12. If Pennsylvania State University acquires additional real property which, as a consequence of the transfer, is removed from the tax rolls of a taxing body, the amount of the lost tax revenues will be deducted from this appropriation and given to the taxing body to make up for the tax loss incurred.

Amend Sec. 12, page 7, line 11, by striking out "12" and inserting

13

On the question,

Will the House agree to the amendments?

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

Mr. CALTAGIRONE. Thank you, Mr. Speaker.

First I would like to draw the attention of the members to the cost of the nonpreferreds and the escalating costs every year. We are spending close to \$400 million, and what we are doing is continuing to diminish the local tax base in our municipalities. The diminishing returns occur when they continue to acquire the additional real property and that real property then is removed from the local taxing body's rolls.

What the amendment would do and the purpose of the amendment is to help your local municipality to stabilize their tax base. What we are saying, basically, is, if they were to acquire additional tax property and remove it from the rolls, that amount of the tax loss that is incurred would be deducted from their nonpreferred appropriation and sent to that local taxing body.

I realize that this is a first step. People may have said, well, you should have offered it to the budget for the State-relateds, but I think we have got to start somewhere and this is the first step. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, the Representative with this amendment tries to address what is a very real problem. The problem of the impact of tax-exempt property on our municipalities and our school districts and our county governments is very real and ought to be addressed. This is not the way to address it, however.

The Caltagirone amendment, which is before us now, would pick out only those tax-exempt institutions that happen to receive a State appropriation through a nonpreferred appropriation, and only those, and would place the entire burden for at least beginning to solve this problem of tax-exempt property on those institutions alone. I think that is wrong to do it.

We have got hospitals; we have many kinds of tax-exempt institutions all over this State, in all of our counties and in most of our municipalities and school districts, that are a part of the problem the gentleman seeks to address. It would be unfair to only pick out in this case a few institutions—institutions of higher education, in this case—and tell them that they are going to provide the means for addressing this problem. It would be a piecemeal solution; it would be most inappropriate.

Furthermore, I think we have to note that we are not even extending this same kind of provision or penalty, if you will, to those very institutions that are a part of the State system. Our 14 State universities would not be covered by this same kind of provision. The community colleges would not be covered by this kind of provision, because their appropriations were already in the General Fund budget that is a different document.

I think that the issue is legitimate. I think this is a most inappropriate and unfair way to address it, however. I would urge that we defeat this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the Caltagirone amendment, the Chair recognizes the gentleman from Venango, Mr. Levi.

Mr. LEVI. Thank you, Mr. Speaker.

I think the intent of this amendment is proper, but I think we are going at it the wrong way. We are shifting the burden from the local taxpayers to all the taxpayers of Pennsylvania. I think the proper approach would be, since we are not funding Penn State in this particular instance 100 percent, only a portion thereof, that if we want Penn State to pick up the difference in the tax loss, let them pay the bill among all their revenues coming in - the students, the other revenues that they have coming in from tuition - and not shift it all to the taxpayers of Pennsylvania. Let everybody share equally.

I think what he wants to do is get rid of people eliminating properties from the tax rolls, but let us shift it to where it belongs, to the universities, and let them pay the bill, not the taxpayers of Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the Caltagirone amendment, the Chair recognizes the lady from Centre, Mrs. Rudy.

Mrs. RUDY. Thank you, Mr. Speaker.

I rise in opposition to this amendment basically to reiterate what Representative Cowell said - because this amendment is discriminatory as it singles out only certain State-aided institutions and not other State-aided colleges which are soon to become universities and institutions. Therefore, I would urge a negative vote on this amendment. Thank you.

The SPEAKER. The Chair thanks the lady.

On the Caltagirone amendment, the Chair recognizes the gentleman from Berks, Mr. Fryer.

Mr. FRYER. Mr. Speaker, I rise in support of the amendment proposed by the gentleman, Mr. Caltagirone. I have heard speakers state here on the floor that this is very, very unfair and we should be doing it to the State colleges. I say, yes, we should be doing it to the State colleges.

I think what you are really doing in a sense with our tax-exempt properties is— The thing does not go away. What you are doing is merely adding to the tax costs for the remaining taxpayers whom you have in your areas.

We have a problem here that has been before us. It increases every year, and yet we hear the story, no, this is not right; this is the wrong approach. I think this is a beginning. It is the time to start into this area to let the people know precisely where we stand on this matter.

The point is, the people who are picking up these increased costs, the very people who elect us to this office, are the people who are paying to pick up that increased cost. I think the time is now. It is here before us today, and I would strongly suggest a "yes" vote on the Caltagirone amendment.

The SPEAKER. The Chair thanks the gentleman.

On the Caltagirone amendment, the Chair recognizes the gentleman from Allegheny, Mr. Murphy.

Mr. MURPHY. Thank you, Mr. Speaker.

I rise to support the amendment.

This is a problem that we are facing in the Commonwealth on an unprecedented scale. For example, in the city of Pittsburgh just 10 years ago, 27 percent of the property was tax exempt. Today 47 percent of the property is tax exempt. In Harrisburg, 53 percent of the property is tax exempt. In Scranton, 55 percent of the property is tax exempt. In Philadelphia, 35 percent of the property, and it goes on and on and on. In communities large and small around the Commonwealth, the tax-exempt property is increasing at a dramatic rate.

While this particular amendment does not address all of the taxes and properties, it does begin to address the problem and it raises the issue, an issue that has been attempted to be discussed in the House of Representatives before unsuccessfully. We have to begin to raise the issue and to begin to address who pays for the property that becomes tax exempt, because most of the time the tax-exempt use is not just localized to the municipality but is a regional use, be it a university such as the State universities or a hospital. The uses are regional, but the local people pay.

I urge your support of this amendment to demonstrate that we recognize the concern, and we will begin to address this issue. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the Caltagirone amendment, the Chair recognizes the gentleman from Beaver, Mr. Colafella.

Mr. COLAFELLA. Mr. Speaker, I rise to oppose the Caltagirone amendment. It does not address the specific problem, and that is the problem of appropriating higher moneys to higher ed institutions. The reason the higher ed institutions' expenses go up every year is because their utility costs are higher every year. The cost of purchasing library books, of doing research in higher education institutions continues to increase. If you want to be concerned about the problems of higher education, you have got to be concerned about those kinds of problems and not the problems that they may have of purchasing additional property to expand. I think you do a disservice to our institutions in Pennsylvania by punishing them if they want to make themselves a better educational institution. For those reasons I oppose the amendment, and I hope that you oppose it also. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the Caltagirone amendment, the Chair recognizes the gentleman from Montgomery, Mr. Saurman.

Mr. SAURMAN. Thank you, Mr. Speaker.

Will the maker of the amendment stand for interrogation?

The SPEAKER. The gentleman, Mr. Caltagirone, indicates he will so stand for interrogation. The gentleman, Mr. Saurman, is in order and may proceed.

Mr. SAURMAN. Thank you.

Mr. Speaker, it is unclear to me whether or not this payment will be made each year or whether it will be made just at one time. Could you clarify that for me? Obviously, the loss of tax revenue repeats each year. I am wondering if it will be paid each year or just one time.

Mr. CALTAGIRONE. Mr. Speaker, the nonpreferred appropriation is approved on an annual basis. Therefore, there would be a need to have the amendment put into the bill each year and have it thus approved. Of course, the intent of the amendment would be that the tax loss this year would come out of that nonpreferred appropriation.

Mr. SAURMAN. Are you saying, sir, that each year there will have to be another amendment to the nonpreferred appropriation to reflect whenever a piece of property then is so acquired or so sold so that the tax loss is there? This would appear to me to present a tremendous logistical problem, one that could well cost more than the gain made to the municipality.

Mr. CALTAGIRONE. No more so, sir, than the budget process that we are just going through, and we do that every year.

Mr. SAURMAN. Mr. Speaker, I have ended my interrogation.

I would like to make the statement that it does appear to me that this creates a serious problem. The amendment itself refers to a circumstance which may not happen or may

happen. It refers to if this situation takes place. And, in fact, if it does, then we are creating a logistical problem which will repeat itself each year if the municipality is to benefit from it, and I would urge a "no" vote on this amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the Caltagirone amendment, the Chair recognizes the gentleman from Dauphin, Mr. Wambach.

Mr. WAMBACH. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the Caltagirone amendment. I happen to agree with Representative Fryer that we must start sometime, someplace. I think this is the time and place. What would happen to Penn State University if the streets were not passable, if the street lights were not on in the community, if the sewage system was turned off and the community has gone bankrupt and cannot provide the services?

I think it is about time, and it is only singling out at this point because time is of the essence. I think if we do receive a budget back, we will start looking at the State colleges and universities in the new system. But I think the time is now. If the municipality was not there to supply those municipal services to permit such institutions as Penn State and Temple and the University of Pittsburgh to exist, then they in fact would not exist. I think what we are saying here is, right now, whatever properties have been acquired and under use will remain, and whatever further expansion exists, then the municipality, be it a borough, township, or city, will be reimbursed for those tax-exempt expansions. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the Caltagirone amendment, the Chair recognizes the gentleman from Allegheny, Mr. Dawida.

Mr. DAWIDA. Mr. Speaker, I have no illusions about the potential success of this amendment, but I think this issue deserves a hearing, and I am glad for the chance to do so. I also have no illusions about the need for the money that we are providing these institutions. If we had not done so to the university I graduated from, I would not have been able to go to school. But I think we have to lay clear some of the issues.

I heard the word "discrimination" bandied about, and there is discrimination, but the discrimination is to the municipalities that are providing the fire, the police, the infrastructure around that university, the roads that exist around it, the street lights, the protection of the populace around the institution. All this costs a great deal of money, and the institutions we are dealing with are not just local institutions; they are regional; they are State; they are national; they are international institutions, and yet the property that they are gobbling up is taking away from the tax base of local municipalities. I have been given figures to indicate that at Penn State alone, in the reign of the current president, 3 million square feet have been eaten up of the local municipal land, and over 54 new buildings have been built.

This amendment will not cost a dime if they do not impact any further in those local municipalities. But do not be mistaken by the fact that these institutions appear to be losing money on this deal. What we are talking about is the fact that

there is an impact in the local municipalities that is eroding their tax bases and their ability to function at each and every one of the institutions we are dealing with today. I think it is appropriate that we put a freeze on that kind of expansion until they start realizing the impact they have on the local municipalities and do something about it. I urge a "yes" vote for this amendment.

The SPEAKER. The Chair thanks the gentleman.

On the Caltagirone amendment, the Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in favor of the Caltagirone amendment. I think it is about time we forewarned these universities to quit buying land needlessly and wasting it. They buy the greatest amounts of farmland and take it off the rolls, and I have seen land, like an 800-acre farm, used for three bulls to roam around. I think this is nonsense, and they continually expand all the time. I think it is time we gave them notice that if they are going to buy this land, they better have a good use for it. It is apparent every time you go past the Penn State area that there are just a lot of pieces of land lying around that they do not use at all.

I think the Caltagirone amendment might fail; it just might. Maybe enough people will have enough sense to vote for it, but I have that doubt in my mind right now. But I tell you now, we had better do something about it, because the time is coming when they buy and they buy and they do not care what they buy or where they buy. They bought an airport; they expanded; they keep on expanding, and it only benefits a very few people. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

On the Caltagirone amendment, the Chair now recognizes, for the second time, the gentleman, Mr. Cowell.

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, several prior speakers have spoken articulately and I think persuasively that this legislature must do something, must address the problem of the impact of tax-exempt property on our local taxing agencies, our local governments, if you will. They have not been very persuasive though that this is a fair or appropriate or even effective way of addressing that problem. If the purpose is only to send a message to somebody, then the message has been sent by the introduction of this amendment, but in terms of having effect, it is practically meaningless. This is an appropriations bill for 1 year only. It does not send a permanent message to anyone; it does not make a permanent change in the law. This particular amendment affects only one institution in this entire Commonwealth - in this case, Penn State. It does nothing about the hundreds and the thousands of other large tax-exempt properties all over this Commonwealth.

A number of people have said we have to begin to do something. There is an opportunity for the members of this legislature and particularly some of the members who have spoken in favor of this amendment to do something. In fact, several of them are cosponsors of HB 762, which deals with a number of issues and does address the issue of a municipal service

charge for tax-exempt properties. Those members who have spoken for this and who in fact in some cases have sponsored that bill also serve on the committee where that bill now resides. If folks want to do something, they ought to take up this broad issue in a fair way and in a more appropriate way by addressing HB 762 or some similar legislation, and many of them have a very immediate opportunity to do that, because they serve on the very committee where that bill now resides. I think that is the appropriate way for this legislature to address the issue.

Equally as important and finally, I do not think it is fair that we ought to tell Penn State or that we ought to tell three or four or five other institutions that we are going to make you the example, and we are going to penalize you at the same time that we have failed to address the impact that State Government itself has, our own buildings, our own institutions have on municipalities all over this Commonwealth, including right here in Harrisburg. We have examples right here in Harrisburg where development authorities, for instance, in cooperation with the State or to serve the purposes of the State have taken up lots of property and made it tax exempt here in the Harrisburg area. We ignore that particular problem. I think that HB 762 is the appropriate way of addressing this. *This particular amendment is an inappropriate way. I think we ought to defeat it. Thank you.*

The SPEAKER. The Chair thanks the gentleman.

The Chair now recognizes the gentleman from Cambria, Mr. Haluska.

Mr. HALUSKA. Mr. Speaker, I would like to interrogate Mr. Letterman.

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

Mr. HALUSKA. Mr. Speaker, you made the statement that you are in favor of this proposal. I would like to ask you, would you also apply this to game lands?

Mr. LETTERMAN. No.

Mr. HALUSKA. Why not?

Mr. LETTERMAN. Because we all use it, and it is all bought with license money; it is not bought with our tax dollars.

Mr. HALUSKA. They take millions of acres out of the rural areas. I have had an occasion where we just wanted to get a few acres from the game lands adjacent to an industrial park, and they absolutely refused to assign it or sell it to us. But right now in HB 666 they are taking another 374 acres out of one of my particular townships, and all this ground is being taken out of taxation. So I think if you are going to apply it to the institutions, you should also apply it to the Game Commission.

Mr. LETTERMAN. Mr. Speaker, I thought that man was supposed to ask me a question. He answered the whole thing himself, but I have an answer, too.

The SPEAKER. The Chair recognizes the gentleman, Mr. Letterman, for the second time.

Mr. LETTERMAN. No; I am being questioned, Mr. Speaker. I would like to answer his question.

The SPEAKER. This is the second time the gentleman has spoken on the amendment.

Mr. LETTERMAN. No, it is not, Mr. Speaker. I am being interrogated. I was interrogated.

The SPEAKER. The gentleman is not recognized unless he agrees that it is the second time he is recognized.

Mr. LETTERMAN. Mr. Speaker, I was interrogated. I would like to answer his question.

The SPEAKER. The Chair does not recognize the gentleman, Mr. Letterman, at this time. It will recognize him later.

The Chair recognizes the gentleman from Beaver, Mr. Colafella, for the second time.

Mr. COLAFELLA. Thank you, Mr. Speaker.

Mr. Speaker, if this amendment would pass, what would happen is the cost to Penn State University would increase, and those costs would be borne in higher tuition by the students of Penn State. We have students in our State-related colleges and universities who can attend West Virginia University, and their tuition at West Virginia is cheaper than it is at Penn State. If we pass this amendment, our students at our State-related universities are going to have to pay higher tuition. *For that reason I oppose the amendment, and I hope you do, too.*

The SPEAKER. The Chair thanks the gentleman.

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

Mr. RICHARDSON. Mr. Speaker, first I would like to rise to support the amendment, and I do so because I want to try to bring into focus some of the things that the previous speaker said. One is that in this particular amendment, one of the things that is being addressed is not just Penn State, and no one is just picking on Penn State, but it is being addressed across the board to all of the nonpreferreds as it relates to institutions and relates to the land question, particularly as it relates to the taxes that are not being collected on this particular land, particularly the tax-exempt land.

It has to be made clear that we have held hearings all across this entire State, and one of the questions that was raised specifically was the fact that there has to be something done about all of the tax-exempt land that presently exists within this Commonwealth. Now, it is an issue that is a very controversial issue, and a number of people do not, of course, want to address it, but yet and still the problem looms in front of us. You have several particular counties, and we are not only talking about the fact that there are 48 third-class cities but we are talking about the hundreds of boroughs and townships that also exist within this Commonwealth, and regardless of whether or not members vote in support of this amendment, the problem is still in front of you. While there has been an easy escape route to not wanting to put yourselves in a position of saying, I cannot be against the universities; I cannot be against the colleges because they will come and get me, it is only trying to stonewall a situation which has been in front of us, because there are certain members inside the institutions

and also the universities who have refused to at least sit down at the table to draw this conclusion that there has to be something done. So the amendment being offered by Representative Caltagirone is an honest and sincere attempt to begin to focus this House of Representatives on a problem that we have been skirting around for the past 10 or 20 years in this very House of Representatives.

I think, no, not only are we sending a message; we are doing more than that. We do not just want to send a message. We want to make sure that in fact these tax-exempt properties that exist within this Commonwealth in fact understand that we are utilizing services within cities that in fact need to be paid for. And it seems to me that we always are very easy to talk about fiscal austerity when it relates to every other problem, but when we get down to dealing with the fire department and the fire services in a particular university, when we get down to utilizing the police and the police services in a particular area where a university is located, or the sidewalks and the streets and all the other things that require services from the city, we forget what that actually means in terms of making sure that those persons are in fact paid.

Now, I do not think we can continue to forget that without having somebody address themselves to this issue. In the past, the situation has been put under the rug, and no one has wanted to raise it because they were afraid to. Now it is on the table, and it had to come sooner or later, and the question is whether or not you are willing to stand up and deal with the problem. Regardless of whether members come from a particular committee or not has nothing to do with it. The fact remains that this problem is a real problem, and just by not talking about it or trying to address it in another issue which has not been addressed at this moment to the extent that it is going to bring some real solutions to it, the only way I feel it can happen is by bringing it to the floor of this House of Representatives where the full body can deal with it. So hopefully a message will be sent and hopefully at the same time some action will be taken and members will understand that this is being applied to every nonpreferred bill that will be voted on, and I ask for an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Now, to answer the gentleman. Game land is not exactly the same as the land that we are speaking about. Game land is land that is open to the public in its entirety, and it is paid for by the license fees that we pay in. It is not paid by the tax dollars that someone bums from us to pay for their rights. Game land is something that every one of us who buys a license has the privilege to tell the Game Commission we want them to buy that land so it is open to the public so we have the right to hunt and fish on that land. It is not land that is posted and that we are told to stay off because it is private property. I can just say to you that we have a nice bill on the calendar, SB 666, and it is coming up. I hope you vote against it so we can tell the sportsmen where you came from. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the Caltagirone amendment, does the gentleman from Washington, Mr. Daley, wish recognition?

Mr. DALEY. Yes, Mr. Speaker. I rise in opposition to the amendment. I believe that any time government exercises its powers fruitlessly and needlessly, as we are going to do by the adoption of this amendment, it no longer serves the purpose for which it was intended.

Singling out Penn State University does not do anything. There are 14 State-owned institutions that are owned by the Commonwealth where the issue has never been addressed. We never take into consideration the fact that these institutions impact not only Penn State, Pitt, Temple, or whomever they may be, but they impact directly upon the community in terms of employment, also in terms of economic development, also in terms of bettering Pennsylvania in terms of educational growth. We should not single out Penn State. We should single out Harrisburg; we should single out the Federal Government; we should single out the State game lands; we should single out all these in a comprehensive manner, not in a concise, narrow type of piece of legislation as proposed here, and I rise in opposition to this bill.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, on the amendment, the majority leader.

Mr. MANDERINO. Mr. Speaker, very briefly, I thought that we were not going to hear anyone in opposition to the bill. I speak here as a member of the Assembly from the 58th Legislative District, and I have been here long enough to hear this argument many times on the floor of the House, but I have been here long enough to know that with every liability in loss of taxes that communities suffer, in many cases there is a large asset that comes with a public building.

There was an attempt during the Shapp administration to begin decentralizing offices in Harrisburg and moving them in various areas of the State. There was fierce competition for the jobs and the activity that would be brought to those parts of the State. In addition to the fierce competition to have those agencies move throughout the State, there was very serious opposition by the people here in central Pennsylvania to the moving of those offices, so it is a mixed bag. Now, there is no question, there is no question that some expansions are not assets to the community in which the expansion takes place. There are some locations that are not, but I think that one balances the other, and any of you people who have those tax-exempt buildings with the jobs inside them who do not want them, we will take them in the 58th Legislative District.

The SPEAKER. The Chair thanks the gentleman.

On the question, the Chair recognizes the lady from Susquehanna, Miss Sirianni.

Miss SIRIANNI. Mr. Speaker, I would like to publicly state that I agree with Mr. Manderino, and if these people do not want these institutions, they can all come to Hop Bottom. I will take them, tax free.

The SPEAKER. Now the Speaker knows he has been up here too long.

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

The following roll call was recorded:

YEAS—23

Afflerbach	DeWeese	Harper	Swift
Battisto	Dawida	Letterman	Van Horne
Blaum	Duffy	Mrkonic	Wachob
Broujos	Freeman	Murphy	Wambach
Burd	Fryer	Pott	Wright, R. C.
Caltagirone	George	Richardson	

NAYS—178

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

NOT VOTING—1

Weston

EXCUSED—1

Stevens

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

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. HERMAN. I would like to make a brief statement, if I may.

The SPEAKER. The gentleman is in order.

Mr. HERMAN. For the past 2 weeks I have heard a lot of members asking for support of appropriations in the budget. I would like to turn that around in just a different vein. On behalf of Penn State University, I would like to thank the taxpayers of Pennsylvania for bestowing the privilege of this appropriation upon Penn State, and I am sure that Penn State University will live up to the obligations they must fulfill in spending that money most cost effectively. Thank you very much for your support.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Shall the bill pass finally?

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

YEAS—199

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

Deal	Laughlin	Pratt	Wozniak
Dietz	Lehr	Preston	Wright, D. R.
Dininni	Lescovitz	Punt	Wright, J. L.
Dombrowski	Letterman	Rappaport	Wright, R. C.
Donatucci	Levi	Reber	Zwikl
Dorr	Levin	Reinard	
Duffy	Linton	Rieger	Irvis,
Durham	Livengood	Robbins	Speaker
Evans			

NAYS—0

NOT VOTING—3

Carn	Gamble	Richardson

EXCUSED—1

Stevens

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

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

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the lady from Chester, Mrs. Taylor. For what purpose does the lady rise?

Mrs. TAYLOR. Mr. Speaker, when I reviewed the printout on HB 500, I noted that while I was in my seat, my vote was not recorded. Had that vote been recorded, I would have voted in the affirmative.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of HB 1024, PN 1511, entitled:

A Supplement to the act of July 28, 1966 (3rd Sp. Sess., P. L. 87, No. 3), entitled "An act providing for the establishment and operation of the University of Pittsburgh as an instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; *** authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the chancellor to make an annual report of the operations of the University of Pittsburgh," making appropriations to the University of Pittsburgh; providing for a basis from payments of the appropriations; and providing a method of accounting for the funds appropriated.

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

Mr. DORR offered the following amendment No. A1972:

Amend Sec. 1, page 1, line 25, by striking out all of said line and inserting

(1) For educational and general expenses and for participation by a representative of the institution, appointed by the Chief Executive

Officer thereof, as a member of the Pennsylvania Academic Commission on Technological Development, a commission for inter-institutional communication regarding technological innovation and development and for dissemination of information on such matters to the Pennsylvania business community and others who may use such information for new business and job development in Pennsylvania, such commission to be composed of representatives of every State-owned or State-related educational or scientific institution receiving General Fund assistance from the Commonwealth..... \$72,478,000

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

The SPEAKER. This amendment is essentially the same as the amendment offered by Mr. Dorr to HB 1023. Is that correct?

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

The following roll call was recorded:

YEAS—199

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

Dorr	Linton	Richardson	
Duffy	Livengood	Rieger	Irvis,
Durham	Lloyd	Robbins	Speaker
Fargo			

NAYS—2

Bunt	Hoeffel
------	---------

NOT VOTING—1

Evans

EXCUSED—1

Stevens

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

On the question,

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

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Caltagirone. Does the gentleman wish to offer his amendment?

Mr. CALTAGIRONE. Mr. Speaker, I would like to withdraw that amendment and all the other future amendments on the nonpreferreds, but I think the point was well made, and I think that there will be future legislation that will address this issue. Thank you, and I thank the members of the House.

The SPEAKER. The Chair thanks the gentleman for his graciousness.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

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

I believe we are voting on HB 1024. The board reads HB 1023.

The SPEAKER. The gentleman is correct. The Chair thanks the gentleman for being so observant. The Chair did not see that.

On the question recurring,

Shall the bill pass finally?

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

YEAS—202

Afflerbach	Evans	Livengood	Robbins
Alderette	Fargo	Lloyd	Rudy
Angstadt	Fattah	Lucyk	Ryan
Armstrong	Fee	McCall	Rybak
Arty	Fischer	McClatchy	Saloom
Baldwin	Flick	McHale	Salvatore
Barber	Foster, W. W.	McIntyre	Saurman
Battisto	Foster, Jr., A.	McMonagle	Scheetz
Belardi	Freeman	McVerry	Schuler
Belfanti	Freind	Mackowski	Semmel

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Stevens

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

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

* * *

The House proceeded to third consideration of **HB 1025, PN 1512**, entitled:

A Supplement to the act of November 30, 1965 (P. L. 843, No. 355), entitled "An Act providing for the establishment and operation of Temple University as a instrumentality of the Commonwealth to serve as a State-related university in the higher education system of the Commonwealth; *** providing for the auditing of accounts of expenditures from said appropriations; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Temple University," making appropriations to Temple University; providing for a basis for payments of the appropriations; and providing a method of accounting for the funds appropriated.

On the question,
Will the House agree to the bill on third consideration?
Mr. DORR offered the following amendment No. A1971:

Amend Sec. 1, page 1, line 25, by striking out all of said line and inserting

(1) For educational and general expenses and for participation by a representative of the institution, appointed by the Chief Executive Officer thereof, as a member of the Pennsylvania Academic Commission on Technological Development, a commission for inter-institutional communication regarding technological innovation and development and for dissemination of information on such matters to the Pennsylvania business community and others who may use such information for new business and job development in Pennsylvania, such commission to be composed of representatives of every State-owned or State-related educational or scientific institution receiving General Fund assistance from the Commonwealth..... \$78,142,000

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

The following roll call was recorded:

YEAS—202

Table listing names of representatives who voted 'YEAS' (202 total). Names include Afflerbach, Alderette, Angstadt, Armstrong, Arty, Baldwin, Barber, Battisto, Belardi, Belfanti, Beloff, Blaum, Book, Bowser, Boyes, Brandt, Broujos, Bunt, Burd, Burns, Caltagirone, Cappabianca, Carn, Cawley, Cessar, Cimini, Civera, Clark, Clymer, Cohen, Colafella, Cole, Cordisco, Cornell, Coslett, Cowell, Coy, Deluca, DeVerter, DeWeese, Daley, Davies, Dawida, Deal, Dietz, Evans, Fargo, Fattah, Fee, Fischer, Flick, Foster, W. W., Foster, Jr., A., Freeman, Freind, Fryer, Gallagher, Gallen, Gamble, Gannon, Geist, George, Gladeck, Godshall, Greenwood, Grieco, Gruitza, Gruppo, Hagarty, Haluska, Harper, Hasay, Hayes, Herman, Hershey, Hoeffel, Honaman, Hutchinson, Itkin, Jackson, Jarolin, Johnson, Kasunic, Kennedy, Klingaman, Kosinski, Kowalyszyn, Kukovich, Lashingner, Laughlin, Livengood, Lloyd, Lucyk, McCall, McClatchy, McHale, McIntyre, Saurman, McMonagle, McVerry, Mackowski, Madigan, Maiale, Manderino, Manmiller, Markosek, Marmion, Mayernik, Merry, Michlovic, Micozzie, Miller, Misceovich, Moehlmann, Morris, Mowery, Mrkonic, Murphy, Nahill, Nahill, Noye, O'Brien, O'Donnell, Olasz, Oliver, Perzel, Peterson, Petrarca, Petrone, Phillips, Piccola, Pievsky, Pistella, Pitts, Pott, Pratt, Preston, Robbins, Rudy, Ryan, Rybak, Saloom, Salvatore, Saurman, Scheetz, Schuler, Semmel, Serafini, Seventy, Showers, Sirianni, Smith, B., Smith, L. E., Snyder, D. W., Snyder, G. M., Spencer, Spitz, Stairs, Steighner, Stewart, Stuban, Sweet, Swift, Taylor, E. Z., Taylor, F. E., Telek, Tigue, Trello, Truman, Van Horne, Vroon, Wachob, Wambach, Wargo, Wass, Weston, Wiggins, Williams, Wilson, Wogan, Wozniak, Wright, D. R.

Table listing names of representatives who voted 'NAYS' (0 total) and 'NOT VOTING' (0 total) and 'EXCUSED' (1 total). Names include Dininni, Dombrowski, Donatucci, Dorr, Duffy, Durham, Lehr, Lescovitz, Letterman, Levi, Levin, Linton, Punt, Rappaport, Reber, Reinard, Richardson, Rieger, Wright, J. L., Wright, R. C., ZwiRl, Irvis, Speaker.

NAYS—0

NOT VOTING—0

EXCUSED—1

Stevens

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—202

Table listing names of representatives who voted 'YEAS' (202 total). Names include Afflerbach, Alderette, Angstadt, Armstrong, Arty, Baldwin, Barber, Battisto, Belardi, Belfanti, Beloff, Blaum, Book, Bowser, Boyes, Brandt, Broujos, Bunt, Burd, Burns, Caltagirone, Cappabianca, Carn, Cawley, Cessar, Cimini, Civera, Clark, Clymer, Cohen, Colafella, Cole, Cordisco, Cornell, Coslett, Cowell, Coy, Deluca, DeVerter, DeWeese, Daley, Davies, Dawida, Deal, Dietz, Evans, Fargo, Fattah, Fee, Fischer, Flick, Foster, W. W., Foster, Jr., A., Freeman, Freind, Fryer, Gallagher, Gallen, Gamble, Gannon, Geist, George, Gladeck, Godshall, Greenwood, Grieco, Gruitza, Gruppo, Hagarty, Haluska, Harper, Hasay, Hayes, Herman, Hershey, Hoeffel, Honaman, Hutchinson, Itkin, Jackson, Jarolin, Johnson, Kasunic, Kennedy, Klingaman, Kosinski, Kowalyszyn, Kukovich, Lashingner, Laughlin, Livengood, Lloyd, Lucyk, McCall, McClatchy, McHale, McIntyre, Saurman, McMonagle, McVerry, Mackowski, Madigan, Maiale, Manderino, Manmiller, Markosek, Marmion, Mayernik, Merry, Michlovic, Micozzie, Miller, Misceovich, Moehlmann, Morris, Mowery, Mrkonic, Murphy, Nahill, Nahill, Noye, O'Brien, O'Donnell, Olasz, Oliver, Perzel, Peterson, Petrarca, Petrone, Phillips, Piccola, Pievsky, Pistella, Pitts, Pott, Pratt, Preston, Robbins, Rudy, Ryan, Rybak, Saloom, Salvatore, Saurman, Scheetz, Schuler, Semmel, Serafini, Seventy, Showers, Sirianni, Smith, B., Smith, L. E., Snyder, D. W., Snyder, G. M., Spencer, Spitz, Stairs, Steighner, Stewart, Stuban, Sweet, Swift, Taylor, E. Z., Taylor, F. E., Telek, Tigue, Trello, Truman, Van Horne, Vroon, Wachob, Wambach, Wargo, Wass, Weston, Wiggins, Williams, Wilson, Wogan, Wozniak, Wright, D. R.

Dininni	Lehr	Punt	Wright, J. L.
Dombrowski	Lescovitz	Rappaport	Wright, R. C.
Donatucci	Letterman	Reber	Zwinkl
Dorr	Levi	Reinard	
Duffy	Levin	Richardson	Irvis,
Durham	Linton	Rieger	Speaker

NAYS—0

NOT VOTING—0

EXCUSED—1

Stevens

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

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

* * *

The House proceeded to third consideration of **HB 1026, PN 1523**, entitled:

A Supplement to the act of July 7, 1972 (P. L. 743, No. 176), entitled "An act providing for the establishment and operation of Lincoln University as an instrumentality of the Commonwealth to serve as a State-related institution in the higher education system of the Commonwealth; *** providing for preference to Pennsylvania residents in tuition; authorizing appropriations in amounts to be fixed annually by the General Assembly; providing for the auditing of accounts of expenditures from said appropriations; providing for public support and capital improvements; authorizing the issuance of bonds exempt from taxation within the Commonwealth; requiring the President to make an annual report of the operations of Lincoln University, ' making appropriations to Lincoln University; providing for a basis for payments of the appropriations; and providing a method of accounting for the funds appropriated.

On the question,

Will the House agree to the bill on third consideration?

Mr. DORR offered the following amendment No. A1970:

Amend Sec. 1, page 1, line 25, by striking out all of said line and inserting

(1) For educational and general expenses and for participation by a representative of the institution, appointed by the Chief Executive Officer thereof, as a member of the Pennsylvania Academic Commission on Technological Development, a commission for inter-institutional communication regarding technological innovation and development and for dissemination of information on such matters to the Pennsylvania business community and others who may use such information for new business and job development in Pennsylvania, such commission to be composed of representatives of every State-owned or State-related educational or scientific institution receiving General Fund assistance from the Commonwealth.....

\$4,272,000

On the question,

Will the House agree to the amendment?

The SPEAKER. This amendment is essentially the same as the other three Dorr amendments.

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

The following roll call was recorded:

YEAS—202

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Stevens

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

On the question,

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

PARLIAMENTARY INQUIRY

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

Mr. EVANS. Mr. Speaker, there are some questions regarding the printer's number of the bill that was referred back to the committee and the amendment attached to it in the Appropriations Committee. There are some questions regarding that issue.

The SPEAKER. The House will stand at ease. Mr. Dorr's amendment may have been drawn to the wrong printer's number.

The bill was recommitted to the Committee on Appropriations. The bill was amended in that committee and has been rereported to the floor of the House. The printer's number may be different than what appears on the calendar.

The Parliamentarian informs the Chair that the Dorr amendment fits in exactly the same place, so there is no error in that.

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

Mr. DeVERTER. Mr. Speaker, in light of that situation raised by Mr. Evans, is the amount shown on our calendar the correct amount, or was it changed?

The SPEAKER. That is precisely what we are trying to ascertain here at the desk.

Mr. DeVERTER. Okay. Thank you.

The SPEAKER. The correct printer's number is 1523 - HB 1026, PN 1523.

The amendment which was placed in the bill, in answer to Mr. DeVerter's question, was a \$1-million addition for the purposes of enhancement, and the total should read \$5,812,000.

On the question recurring,

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

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

Mr. DeVERTER. Mr. Speaker, would the chairman of the Appropriations Committee, Mr. Pievsky, stand for a brief question?

The SPEAKER. The gentleman, Mr. Pievsky, indicates that he will stand for interrogation. The gentleman, Mr. DeVerter, is in order and may proceed.

Mr. DeVERTER. Mr. Speaker, since we do not have what has been done in the past, the prior year's appropriation, could you share with the members the total increase from last year to this year's appropriation then for Lincoln?

Mr. PIEVSKY. In 1982-83 it was \$4,441,000.

Mr. DeVERTER. I thank the gentleman.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, apparently our caucus was unaware of amendments that were placed in this bill today. Would someone kindly explain them - perhaps Mr. Pievsky?

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

Mr. PIEVSKY. In the committee today we added \$1 million for the desegregation plan handed down by Judge Prattis, and this was okayed by Secretary Wilburn, who requested that this amendment be put in. It was voted unanimously in committee and okayed by Mr. McClatchy.

Mr. RYAN. Thank you.

PARLIAMENTARY INQUIRY

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

Mr. AFFLERBACH. Mr. Speaker, point of parliamentary inquiry.

The SPEAKER. Will the gentleman, Mr. Afflerbach, state the point.

Mr. AFFLERBACH. If I recall correctly, we just adopted the Dorr amendment A1970, which has an appropriation amount in it at \$4,272,000. If I understand correctly what has been said here in the past few moments, that is significantly different from the appropriation amount that is supposed to be in the bill. How do we rectify that situation?

The SPEAKER. We cannot, if that statement is correct.

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

Mr. DORR. If it will solve the problem, Mr. Speaker, I would agree to reconsider that and I will withdraw the amendment. Obviously, I did not know about that amendment being put in the bill.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. PIEVSKY. There is no change. It is \$4,272,000. It is on a different line altogether. That million dollars is on another line.

The SPEAKER. The million dollars is on a separate line of the bill?

Mr. PIEVSKY. Right.

The SPEAKER. Then it will not be necessary for Mr. Dorr to withdraw his amendment.

Does the gentleman, Mr. Afflerbach, and does everyone else understand what has happened? The gentleman, Mr. Dorr's amendment was to a different line. Therefore, when his amendment ends with \$4,272,000, that is correct for that line. An additional line of \$1 million was added by the Appropriations Committee, and the purpose of that— Has Mr. Pievsky explained the purpose of that? The gentleman has already explained it.

Are there further questions, Mr. McClatchy?

Mr. McCLATCHY. Has Mr. Pievsky explained the \$1 million? Is that what you are referring to?

The SPEAKER. Yes.

Mr. McCLATCHY. I have further comments about that, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman.

Mr. McCLATCHY. Mr. Speaker, we were misled—at least we feel we were misled—at the Appropriations Committee

hearing. We have checked with Secretary Wilburn and also his deputy secretary, Mr. Gallagher, and they in fact do not want the \$1 million to go directly to Lincoln. Therefore, Mr. Speaker, I certainly do not support the bill in its present status.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, point of parliamentary inquiry.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. RYAN. Is this bill in print?

The SPEAKER. The bill, I am informed, has not been in print for distribution.

Mr. RYAN. I would request that the bill be held over until it is in print.

BILL PASSED OVER

The SPEAKER. The minority leader is correct, and the bill will be held over until the bill is in print.

Mr. SALOOM. Mr. Speaker?

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

Mr. SALOOM. I wish to move to a prior printer's number.

The SPEAKER. The Chair does not recognize the gentleman for that purpose.

The bill is not in print. It is in violation of the House rules, and the Speaker has ruled that the bill will go over until it is in print.

The Chair recognizes the gentleman, Mr. Ryan.

Mr. RYAN. Mr. Speaker, with the Chair's permission, I would like to make a statement with respect to my prior request.

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

Mr. RYAN. Mr. Speaker, the reason for my question and inquiry with regard to the bill being in print should be obvious. We have no desire to jeopardize the Lincoln appropriation. We, however, are without information sufficient to cast a vote at this time on the bill as it has been explained to us. If it would be easier, we would request simply that the bill be held over until tomorrow, until we have had an opportunity to get that information; otherwise, we would ask that it be held over until it is in print.

The SPEAKER. Will the gentleman, Mr. Ryan, come to the desk, please?

(Conference held at Speaker's podium.)

The SPEAKER. The Chair has conferred with both minority and majority leaders and agrees with the conclusion that since the bill itself was in print and the amendment attached thereto, technically the bill is in print, even though it was not distributed to the members. However, in order to be fair to those members who wish to review the bill, and taking into consideration the minority leader's statement that it is not the

wish of the minority party—and I am sure not the wish of the majority party—to delay the bill, the minority leader has moved that the bill be passed over until tomorrow.

Those in favor of that motion will vote "aye"; those opposed will vote "no."

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—189

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

NAYS—4

DeWeese	Saloom
Harper	
	Irvis,
	Speaker

NOT VOTING—9

Evans	Moehlmann	Pott	Wiggins
Fattah	Peterson	Rappaport	Wilson
McVerry			

EXCUSED—1

Stevens

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

PARLIAMENTARY INQUIRY

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

Mr. WAMBACH. Mr. Speaker, I am still in a little bit of a quandary on the position of the Dorr amendment that was drawn to PN 1513.

The SPEAKER. The Dorr amendment has been attached to PN 1523. The bill, when it was passed over, took the amendment with it.

Mr. WAMBACH. Even though it was drawn to a wrong printer's number, Mr. Speaker?

The SPEAKER. The line is exactly the same on—

Mr. WAMBACH. That is not my question, Mr. Speaker.

The SPEAKER. If the gentleman insists that we wait here until the bill can be reprinted, we shall do so.

Mr. WAMBACH. I only think, Mr. Speaker, that what should happen—

The SPEAKER. Does the gentleman insist that we wait until it be reprinted so the Dorr amendment may be reconsidered?

Mr. WAMBACH. If I can answer that question in this manner, Mr. Speaker: I think that the amendment, since we voted to hold the bill until tomorrow, should be drawn properly to the correct printer's number; or if you want to hold it until tonight and work on it tonight, I suggest that we use a supplemental calendar to do so. Thank you, Mr. Speaker.

The SPEAKER. Do the gentleman, Mr. Manderino, and the gentleman, Mr. Ryan, agree with the member? Shall we hold this bill until it is reprinted today and offer the Dorr amendment again?

Mr. RYAN. Mr. Speaker, as part of the technical process, if one of the members desires that an amendment be drawn to the exact printer's number, we can withdraw the Dorr amendment and offer it to the proper printer's number tomorrow when we consider the bill.

I think it is foolish to put the House to the task of waiting around for something that we are going to consider tomorrow anyway.

The SPEAKER. The Chair agrees with the minority leader.

Mr. WAMBACH. Mr. Speaker, I do not mean to delay this House. What I want to do is to make sure that the amendment is drawn to the proper printer's number. If in fact the proper printer's number is 1523, I would hope that the Dorr amendment will be offered tomorrow to 1523.

The SPEAKER. The Chair thanks the gentleman.

Is the gentleman, Mr. Dorr, willing to withdraw his amendment?

The Chair recognizes the majority leader.

Mr. MANDERINO. I do not want to get technical technical, but we had better reconsider the vote by which it went in.

The SPEAKER. Yes. The Chair recognizes that requirement.

AMENDMENT A1970 RECONSIDERED

The SPEAKER. The Chair has before it a motion on the part of the gentleman, Mr. Wambach, and the gentleman, Mr. Dorr, that the vote by which the Dorr amendment was attached to HB 1026, PN 1523, be reconsidered. The question is on the reconsideration motion.

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

The following roll call was recorded:

YEAS—198

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

NAYS—3

Clark	Livengood	Moehlmann
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NOT VOTING—1

Hutchinson

EXCUSED—1

Stevens

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

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

AMENDMENT WITHDRAWN

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

Mr. DORR. Mr. Speaker, I withdraw amendment A1970.

The SPEAKER. HB 1026, PN 1523, will go over for today.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of HB 6, PN 409, entitled:

An Act amending Title 24 (Education) of the Pennsylvania Consolidated Statutes, providing for the transfer of employer contributions to certain other public pension systems.

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

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

The question is, shall the bill pass finally?

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

YEAS—200

Table listing names of members who voted 'YEAS' for HB 6, PN 409. Includes names like Afflerbach, Alderette, Angstadt, etc.

Table listing names of members who did not vote or were excused for HB 6, PN 409. Includes names like Colafella, Cole, Cordisco, etc.

NAYS—0

NOT VOTING—2

Levin

Wiggins

EXCUSED—1

Stevens

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

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

* * *

The House proceeded to third consideration of HB 7, PN 13, entitled:

An Act amending "The County Pension Law," approved August 31, 1971 (P. L. 398, No. 96), providing for credit for former employes of school districts.

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

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

The question is, shall the bill pass finally?

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

YEAS—197

Table listing names of members who voted 'YEAS' for HB 7, PN 13. Includes names like Afflerbach, Alderette, Angstadt, etc.

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

NAYS—0

NOT VOTING—5

Carn	McVerry	Pievsky	Saurman
Letterman			

EXCUSED—1

Stevens

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

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

* * *

The House proceeded to third consideration of **HB 92, PN 411**, entitled:

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

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

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

YEAS—197

Afflerbach	Fargo	Livengood	Rudy
Alderette	Fattah	Lloyd	Ryan
Angstadt	Fee	Lucyk	Rybak
Armstrong	Fischer	McCall	Saloom

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

NAYS—2

Mowery	Richardson
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NOT VOTING—3

Clark	Donatucci	Sirianni
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EXCUSED—1

Stevens

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

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

* * *

The House proceeded to third consideration of **SB 710, PN 808**, entitled:

An Act authorizing the City of Wilkes-Barre in the County of Luzerne and Commonwealth of Pennsylvania to sell and convey certain Project 70 lands containing 2.13 acres more or less in said city and county belonging to the City of Wilkes-Barre subject to certain conditions.

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

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

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

Mr. BLAUM. Thank you, Mr. Speaker.

In 1967 the city of Wilkes-Barre purchased 13 acres of land with the use of title 70 dollars for the purposes of recreation. They developed 11 of those acres for recreation and now hope to use the 2 remaining acres to develop single-family homes. In return for that right, they are paying back to the Commonwealth \$5,857.50, which is agreed to by the Department of Community Affairs. I think this bill is not only good for the Commonwealth because they are returning that money, but it is also good for the city of Wilkes-Barre. I ask for a favorable vote.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,
Shall the bill pass finally?

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

YEAS—197

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

Dawida	Kukovich	Preston	Wozniak
Deal	Lashingier	Punt	Wright, D. R.
Dietz	Laughlin	Rappaport	Wright, J. L.
Dininni	Lehr	Reber	Wright, R. C.
Dombrowski	Lescovitz	Reinard	Zwikel
Donatucci	Letterman	Richardson	
Dorr	Levi	Rieger	Irvis,
Duffy	Linton	Robbins	Speaker
Durham	Livengood	Rudy	

NAYS—0

NOT VOTING—5

Beloff	Levin	McIntyre	Manderino
Kosinski			

EXCUSED—1

Stevens

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

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

**SUPPLEMENTAL CALENDAR A
BILL AGREED TO
ON SECOND CONSIDERATION**

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

HB 989, PN 1436.

RESOLUTIONS

Mr. GEORGE called up **HR 115, PN 1522**, entitled:

Amending House Resolution No. 29, Printer's No. 249, by changing the effective date of the committee's report.

On the question,
Will the House adopt the resolution?

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

Mr. HASAY. Mr. Speaker, we have been conducting an investigation of the Department of Environmental Resources for almost 6 months now, and the findings have been nothing. Now we are going to give an unlimited subpoena power for an indefinite period on this investigation.

I do not feel it would be fair. I feel it may turn into a partisan bandwagon, if it has not already, and I would oppose this resolution, Mr. Speaker. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the final passage of the resolution, the Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I have similar doubts as to the wisdom of this resolution. It would seem to me that if Mr. George wanted an extension of time, he should have asked for a specific time. To pass a resolution now that continues an investigation indefinitely, I think, encourages a committee to

perhaps be lax in its work, or at the very least, lax in making its report. I think to spend the time, the money, and the effort to carry on such an investigation and then not to have a *mandate from this House to report it while we are still in session this term is foolish*. I think Mr. George would have been better advised had he asked for an extension for a month, for 2 months, or for some definite period of time, but just to pass a resolution carrying it on for an indefinite period of time, I think, is foolish. I, too, urge a negative vote on this resolution.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. GEORGE. Mr. Speaker, I am going to attempt to be very cautious in what I say, but I ask those who have been here as long as we all have been today to listen very carefully to what I am about to say.

When this resolution was passed by 157 votes, it was passed by both Democrats and Republicans originally, by members of the House of Representatives who had many, many complaints that DER either was not doing something properly or did not know what they should be doing. I am not going to take on Mr. Ryan. I have heard him three or four times expound on how inappropriate this resolution was to start with. I am not as bright or as calculating as he is that I would have put a deadline on it. I wish I were. If I were, I would be sitting over there. No, I would not be sitting over there; I would be sitting over here.

Mr. Hasay, who is my colleague and my minority chairman, is a gentleman whom I love very dearly. I think he is a fine man. I think everybody knows what I mean. I know it is embarrassing for the gentleman. I know that there must be some people telling him this is what to do, this is what to say, when several times I have been privileged to have had advisement for him that I am not going to say in the open because I do not want to embarrass him, because I know what his job has to be.

This committee has not been on a witch-hunt. This committee has not spent countless hundreds of thousands of dollars. This committee has been fair. I daresay that there are times that I have been blamed for being somewhat zealous, but no one can blame me for being unfair, illicit, or not honest in our deliberations. Just today I got another letter from DER, all the members of the committee on both sides are apprised, saying that your letter of June 1—and this is June 29. This is what we have had to put up with. And I know there was much to say about how reckless my endeavor has been with subpoenas. Three subpoenas were issued in that 6 months to people who lied to us seven different times. First they said there was no file; then they said what was in the file was of nobody's concern; then they said they did not know where the file was; then a girl said she did not know anything about a file; and then they said under oath that they were told by the General Counsel—and I could go on and on and on and on and on.

I imagine if I were Mr. Hasay and I was here and we had a Governor who was a Democratic Governor, I would be stand-

ing up like Mr. Hasay and saying that it has done nothing. Mr. Hasay, this group is going to give us an extension, and I ask that you work with me continuously, because it does not make any difference who the Governor or who the Counsel is; DER was put there by people such as you and I. I ask you to join with me so that we can continue in our effort to try to do something.

We have not witch-hunted, but we have got a lot of innuendo; we have got a lot of answers that were not true. The truth of the matter is that just yesterday I read an article from Mr. DeBenedictis. I know very little about the man. He said that this committee was a smoking pistol that now is a water pistol. Let me say this to you: yet he commended us for the Chrin landfill and the fact that we had apprised them of the problem. You know very well—you were there; the testimony was given—that they were told every bit, every iota, every pound, every designation, every bit of substance that was put in there. For 16 months there were letters sent, and never did DER give a care to what was in there. The day we were there it was cleaned up as immaculate as your shirt, after the people had been screaming. Just yesterday, I am privileged to know, DCA (Department of Community Affairs) advised several legislators, our colleagues, that at Cherryville there will be \$1 million put in there to correct that system that has been ongoing for 5 years, where the contaminant in the water was 57 parts per million. I would like to see your or DeBenedictis' children drinking that water. Let us not play games.

(The record at this point was expunged under a point of order and agreement by Mr. George.)

The SPEAKER. On the resolution, the Chair recognizes the gentleman from Allegheny, Mr. Michlovic.

Mr. MICHLOVIC. Mr. Speaker, it is a little difficult to follow that act, but I just might respond in terms of the time element.

Over 2 years ago I asked for an investigation to deal with what I felt were serious problems in the coalfields, the *strip-mine areas of Pennsylvania*. The investigation has gone on for 6 months, and we have gotten into testimony in Easton, in Downingtown, in Pittsburgh, and the people who testified before that committee were not Democrats or Republicans; they were Pennsylvanians drinking water near toxic waste that was going into our landfills, our sanitary landfills. They did not come to us on a partisan basis. They came to us scared. I never expected, when I got into the investigation or called for the investigation, that we would get into the whole area of toxic waste. We are finding things we never knew about, and that is why the investigation is going on, and that is why it has to continue, to address those very serious problems. I ask for your support on this resolution. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Hasay, for the second time on the resolution.

Mr. HASAY. Thank you, Mr. Speaker.

All I am asking is that this resolution be held over until tomorrow so that I can prepare an amendment for it so we can put a time period in this resolution.

I am also concerned about the subpoena power. There were only three subpoenas that were drawn, but we had asked that these people be invited first, and if these people did not come, then use the power of subpoena. My concern is the time, if we could have a time period on this particular resolution. Thank you.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I would like the resolution to be run this evening.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. DeVERTER. Mr. Speaker, you and I had a discussion a little earlier today about some of the undignified things that are said and done in this House. I would respectfully request, Mr. Speaker, that the last statement of Representative George be stricken from the record.

The SPEAKER. The gentleman's request is well taken. The reporters will strike the last sentence from Mr. George's statement.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—103

Afflerbach	Duffy	Livengood	Rieger
Alderette	Evans	Lloyd	Rudy
Baldwin	Fattah	Lucyk	Rybak
Barber	Fee	McCall	Saloom
Battisto	Foster, Jr., A.	McHale	Seventy
Belfanti	Freeman	McIntyre	Showers
Beloff	Fryer	McMonagle	Steighner
Blaum	Gallagher	Maiale	Stewart
Broujos	Gamble	Manderino	Stuban
Caltagirone	George	Markosek	Sweet
Cappabianca	Gruitza	Mayerink	Taylor, F. E.
Carn	Haluska	Michlovic	Tigue
Cawley	Harper	Miscevich	Trello
Clark	Hoeffel	Morris	Truman
Cohen	Hutchinson	Mrkonic	Van Horne
Colafella	Itkin	Murphy	Wachob
Cole	Jarolin	O'Donnell	Wambach
Cordisco	Kasunic	Olasz	Wargo
Cowell	Kosinski	Oliver	Wiggins
Coy	Kowalyszyn	Petrone	Williams
Deluca	Kukovich	Pievsky	Wozniak
DeWeese	Laughlin	Pistella	Wright, D. R.
Daley	Lescovitz	Pratt	Zwikl
Dawida	Letterman	Preston	
Deal	Levin	Rappaport	Irvis,
Dombrowski	Linton	Richardson	Speaker
Donatucci			

NAYS—98

Angstadt	Flick	McVerry	Salvatore
Armstrong	Foster, W. W.	Mackowski	Saurman
Arty	Freind	Madigan	Scheetz
Belardi	Gallen	Manmiller	Schuler
Book	Gannon	Marmion	Semmel
Bowser	Geist	Merry	Serafini
Boyes	Gladeck	Micozzie	Sirianni
Brandt	Godshall	Miller	Smith, B.
Bunt	Greenwood	Moehlmann	Smith, L. E.
Burd	Grieco	Mowery	Snyder, D. W.
Burns	Gruppo	Nahill	Snyder, G. M.
Cessar	Hagarty	Noye	Spencer

Cimini	Hasay	O'Brien	Spitz
Civera	Hayes	Perzel	Stairs
Clymer	Herman	Peterson	Swift
Cornell	Hershey	Phillips	Taylor, E. Z.
Coslett	Honaman	Piccola	Telek
DeVerter	Jackson	Pitts	Vroon
Davies	Johnson	Pott	Wass
Dietz	Kennedy	Punt	Weston
Dininni	Klingaman	Reber	Wilson
Dorr	Lashingner	Reinard	Wogan
Durham	Lehr	Robbins	Wright, J. L.
Fargo	Levi	Ryan	Wright, R. C.
Fischer	McClatchy		

NOT VOTING—1

Petrarca

EXCUSED—1

Stevens

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

* * *

Mr. KASUNIC called up HR 101, PN 1329, entitled:

The General Assembly urges the Governor to proclaim the month of July as "Buy American Month."

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Kasunic.

Mr. KASUNIC. Mr. Speaker, I rise to ask unanimous support for this resolution from the House. We all know what the imports are doing to this great State of ours and this Nation. I think it is our duty to make the people of the State of Pennsylvania more aware of this problem and to practice this ourselves. The steel industry has been crippled, the auto industry has been hurting, and the apparel industry has lost many customers to the Far East.

I ask that we support this, especially the month of July being designated this month, the month of our Nation's birthday. I think it is only appropriate that we do this in face of the fact that the American Revolution was started in July, and I think we ought to start another revolution now concerning our own American products. I once again ask unanimous support.

ADDITIONS OF SPONSORS

The SPEAKER. The Chair recognizes the gentleman from Perry, Mr. Noye, on the adoption of the resolution.

Mr. NOYE. Thank you, Mr. Speaker.

Some of our members have asked if it would be possible—they would have liked to have signed this resolution and did not have the opportunity—whether or not their names could be added as sponsors of the resolution, that the whole House have their names added to the resolution.

The SPEAKER. Does the gentleman, Mr. Kasunic, have any objection to a motion by the gentleman, Mr. Noye, that the name of each and every member of the House be affixed to the resolution?

Mr. KASUNIC. Mr. Speaker, if there are no objections, I support that wholeheartedly.

The SPEAKER. The Chair thanks the gentleman.

Those in favor of the entire assemblage of the House affixing their names to the resolution will vote "aye"; those opposed will vote "no."

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—201

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

NAYS—1

Williams

NOT VOTING—0

EXCUSED—1

Stevens

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

The SPEAKER. The names of the members of the House will be affixed to the resolution.

On the question recurring,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—197

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

NAYS—1

Williams

NOT VOTING—4

Levin Linton Sirianni Van Horne

EXCUSED—1

Stevens

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

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

REMARKS ON VOTE

The SPEAKER. For what purpose does the lady from Susquehanna, Miss Sirianni, rise?

Miss SIRIANNI. My switch was not working on the last vote.

The SPEAKER. The lady will be recorded as having voted in the affirmative on HR 101. The Chair thanks the lady.

RESOLUTIONS CONTINUED

Mr. KASUNIC called up **HR 102, PN 1330**, entitled:

Designating the month of July as "Buy American Month."

On the question,
Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the gentleman from Fayette, Mr. Kasunic.

Mr. KASUNIC. Mr. Speaker, I rise once again in asking the House's total support of this resolution, and I would ask for unanimous cosponsorship of this also.

The SPEAKER. Unless there be objection, the Chair will accept the vote on HR 101 for the assignment of names to be the same as the vote on HR 102. The Chair hears no objection.

Consequently, HR 102 will carry the names of all the members of the House of Representatives.

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

The following roll call was recorded:

YEAS—202

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

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

NAYS—0

NOT VOTING—0

EXCUSED—1

Stevens

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

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

SUNSHINE NOTICE

The SPEAKER. Notice is hereby given, in accordance with the act of July 19, 1974, P.L. 486, No. 175, that the House of Representatives will convene in open session in the hall of the House on the following date and time: June 30, 1983, at 10 a.m.

The adjournment motion will be for 10 a.m.

BILLS AND RESOLUTION PASSED OVER

The SPEAKER. Without objection, all remaining bills and the discharge resolution on today's calendar will be passed over. The Chair hears none.

ADJOURNMENT

The SPEAKER. There being no further business to be brought before the House, the Chair recognizes the gentleman from Chester, Mr. Hershey.

Mr. HERSHEY. Mr. Speaker, I move that this House do now adjourn until Thursday, June 30, 1983, at 10 a.m., e.d.t.

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

Motion was agreed to, and at 8:38 p.m., e.d.t., the House adjourned.