

# Legislative Journal

WEDNESDAY, JUNE 11, 1975

Session of 1975

159th of the General Assembly

Vol. 1, No. 48

## HOUSE OF REPRESENTATIVES

The House convened at 9:30 a.m., e.d.t.

THE SPEAKER (Herbert Fineman) IN THE CHAIR

### PRAYER

REVEREND DOCTOR DAVID R. HOOVER, chaplain of the House of Representatives and pastor of St. Paul's Lutheran Church, McConnellsburg, Pennsylvania, offered the following prayer:

Almighty and Everlasting God, in the beauty and glory of this day we share the magnificence of Thy creation with our fellowmen in true and dedicated allegiance to Thee. We beseech Thee to fill us with a deep appreciation and respect for these fruits of Thy hand, and challenge us to be good stewards thereof and practice wise use of our environment. We pray that Thou wilt make us conscious of the abundance of Thy love in our lives and send us forth to show that love to our fellowmen. O God, work in and through us to the honor and glory of Thy name and bring to its fullest fruition Thy will and way in our lives. In Thy name and for Thy sake, we pray. Amen.

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Tuesday, June 10, 1975, will be postponed until printed.

### LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, I have no further requests for leaves of absence.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, I request leave of absence for Mrs. FAWCETT for today's session.

The SPEAKER. Without objection, leave is granted.

### MASTER ROLL

The SPEAKER. The Chair is about to take today's master roll. Only those members in their seats will be permitted to be recorded.

The roll was taken and was as follows:

#### YEAS—195

Abraham	Giammarco	McLane	Schweder
Anderson, J. H.	Gillespie	Mcbus	Scirica
Arthurs	Gillette	Menhorn	Seltzer
Barber	Gleason	Milanovich	Shane

Bellomini	Goodman	Miller, M. E.	Shelhamer
Bennett	Green	Miller, M. E., Jr.	Shelton
Beren	Greenfield	Miliron	Shuman
Berlin	Grieco	Miscevich	Shupnik
Berson	Gring	Moehlmann	Sirianni
Bittle	Halverson	Morris	Smith, E.
Blackwell	Hamilton, J. H.	Mrkonic	Smith, L.
Bonetto	Hammock	Mullen, M. P.	Spencer
Bradley	Hasay	Mullen	Stahl
Brandt	Haskell	Musto	Stapleton
Brunner	Hayes, D. S.	Myers	Stout
Burns	Hayes, S. E.	Novak	Sullivan
Butera	Hepford	Noye	Taddonio
Cessar	Hill	O'Brien	Taylor
Cimini	Hopkins	O'Connell	Tayoun
Cohen	Hutchinson, A.	O'Donnell	Toll
Cole	Hutchinson, W.	O'Keefe	Trello
Cowell	Irvic	Oliver	Turner
Crawford	Itkin	Pancoast	Ustynoski
Cumberland	Johnson, J.	Parker, H. S.	Valicenti
Davies	Katz	Perri	Vann
Davis, D. M.	Kelly, A. P.	Perry	Vroon
DeMedio	Kelly, J. B.	Petrarca	Wagner
Deverter	Kernick	Pievsky	Walsh, T. P.
Dicarlo	Kistler	Pitts	Wansacz
DiDonato	Klingaman	Polite	Wargo
Dietz	Knepper	Pratt	Weidner
Dombrowski	Kolter	Prendergast	Westerberg
Dorr	Kowalyshyn	Pyles	Whelan
Doyle	Kusse	Rappaport	Whittlesey
Dreibelbis	LaMarca	Reed	Wilson
Eckensberger	Laughlin	Renninger	Wilt, R. W.
Engelhart	Lederer	Renwick	Wilt, W. W.
Fee	Lehr	Rhodes	Wojdak
Fischer	Letterman	Richardson	WorriLOW
Fisher	Levi	Rieger	Wright
Flaherty	Lincoln	Ritter	Yahner
Foster, A.	Lynch	Romanelli	Yohn
Foster, W.	Manderino	Ross	Zearfoss
Fryer	Manmiller	Ruggiero	Zeller
Gallagher	McCall	Ryan	Zord
Gallen	McClatchy	Saloom	Zwinkl
Garzia	McCue	Salvatore	
Geesey	McGinnis	Scheaffer	Fineman,
Geisler	McIntyre	Schmitt	Speaker
George			

### NOT VOTING—8

Caputo	Fawcett	Laudadio	Sweeney
Dinfrni	Gleeson	McGraw	Thomas

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

### REPORTS OF COMMITTEES TAKEN

The SPEAKER. Without objection, the Chair will return to reports of committees.

The Chair hears no objection.

### BILL REPORTED AND CONSIDERED FIRST TIME AND RECOMMITTED TO COMMITTEE ON RULES

HOUSE BILL No. 1346 By Mr. SCHMITT

An Act amending the "Surface Mining Conservation and Reclamation Act," approved May 31, 1945 (P. L. 1198, No. 418), removing the maximum age qualification for mine conservation inspector.

Reported from Committee on Consumer Protection.

**HOUSE BILLS INTRODUCED AND REFERRED**

By Messrs. D. S. HAYES, REED, DOMBROWSKI,  
BELLOMINI, A. C. FOSTER, MANMILLER  
and Mrs. CRAWFORD **HOUSE BILL No. 1420**

An Act providing for State-owned colleges and Indiana University to enter into contracts with municipal fire companies and ambulance companies to provide services; \* \* \* and making an appropriation.

Referred to Committee on Education.

By Messrs. D. S. HAYES, BELLOMINI, ZELLER,  
A. C. FOSTER and Mrs. CRAWFORD  
**HOUSE BILL No. 1421**

An Act prohibiting State colleges and universities from charging certain fees.

Referred to Committee on Education.

By Messrs. D. S. HAYES, REED, LEHR, GREEN,  
ZELLER and Mrs. CRAWFORD  
**HOUSE BILL No. 1422**

An Act amending the "Senior Citizens Property Tax Assistance Act," approved March 11, 1971 (P. L. 104, No. 3), providing for payment to tax collectors in certain cases.

Referred to Committee on Finance.

By Messrs. D. S. HAYES, REED, LEHR, GREEN,  
PERRY and MANMILLER **HOUSE BILL No. 1423**

An Act amending the "State Lottery Law," approved August 26, 1971 (P. L. 351, No. 91), further providing for the use of lottery fund proceeds.

Referred to Committee on State Government.

By Messrs. D. S. HAYES, GREEN, DOMBROWSKI  
and BELLOMINI **HOUSE BILL No. 1424**

An Act providing free tuition to persons age 60 or over at certain schools, colleges and universities.

Referred to Committee on Education.

By Messrs. D. S. HAYES, REED, LEHR, GREEN and  
DOMBROWSKI **HOUSE BILL No. 1425**

An Act amending the "Pennsylvania Urban Mass Transportation Assistance Law of 1967," approved January 22, 1968 (P. L. 42, No. 8), further extending free transportation to any person holding Medicare I. D. cards.

Referred to Committee on Transportation.

By Messrs. D. S. HAYES, BELLOMINI, PERRY,  
ZELLER and A. C. FOSTER **HOUSE BILL No. 1426**

An Act amending the act of June 21, 1963 (P. L. 174, No. 104), entitled "An act granting and regulating exemption from payment of real estate taxes by war veterans in need thereof who are blind, paraplegic or have suffered the loss of two or more limbs as a result of military service; \*\*\*" removing the requirement that need be shown to qualify for the exemption and extending the exemption to certain widows.

Referred to Committee on Finance.

By Mr. D. S. HAYES, Mrs. CRAWFORD, Messrs.  
REED, GREEN, PERRY and Miss SIRIANNI  
**HOUSE BILL No. 1427**

An Act changing the term "workmen's compensation" to "workers' compensation."

Referred to Committee on Labor Relations.

By Messrs. BRUNNER, PRENDERGAST and YAHNER  
**HOUSE BILL No. 1428**

An Act amending the "Senior Citizens Property Tax Assistance Act," approved March 11, 1971 (P. L. 104, No. 3), further providing for alternative proofs of rent paid on application for rent assistance.

Referred to Committee on Finance.

By Messrs. WALSH and McLANE  
**HOUSE BILL No. 1429**

An Act reenacting and amending the act of November 10, 1965 (P. L. 835, No. 351), entitled "An act providing pensions for surviving spouses of police officers in cities of the second class A under certain terms and conditions, and providing for contributions by members of the police pension or retirement fund and appropriations by the city for that purpose," extending the provisions of the act to firemen in cities of the second class A.

Referred to Committee on Urban Affairs.

By Messrs. WALSH and McLANE  
**HOUSE BILL No. 1430**

An Act amending the act of May 8, 1965 (P. L. 48, No. 38), entitled "A supplement to the act of May 28, 1915 (P. L. 596, No. 259), entitled 'An act requiring cities of the second class to establish a pension fund for employees of said cities, and regulating the administration and the payment of such pensions,' \*\*\*," further providing for an increase in employe contributions by removing certain limitations.

Referred to Committee on Urban Affairs.

By Messrs. ZELLER, A. K. HUTCHINSON, RENWICK,  
ZWIKL, MUSTO, PITTS, VROON, McCLATCHY  
and VALICENTI **HOUSE BILL No. 1431**

An Act amending the "Child Labor Law," approved May 13, 1915 (P. L. 286, No. 177), changing the applicability of the act to members of volunteer fire companies in certain instances.

Referred to Committee on Labor Relations.

By Messrs. RHODES, IRVIS, PRENDERGAST,  
ENGLEHART, SCHMITT, BONETTO, CAPUTO,  
ITKIN, Mrs. GILLETTE, Messrs. TRELLO, COWELL,  
ABRAHAM, M. M. MULLEN, FLAHERTY,  
MENHORN, ROMANELLI, O'DONNELL,  
JOHNSON, Mrs. TOLL, Messrs. GREENFIELD,  
STAPLETON, MORRIS, BARBER, BLACKWELL,  
ROSS, OLIVER, HAMMOCK, RICHARDSON,  
LINCOLN, COHEN, YOHN and RENNINGER  
**HOUSE BILL No. 1432**

An Act amending the act of April 9, 1849 (P. L. 533, No. 356), entitled "An act to exempt property to the value of three hundred dollars from levy and sale on execution and distress for rent." Increasing the amount of exempt property.

Referred to Committee on Consumer Protection.

By Messrs. RHODES, KNEPPER, MANDERINO,  
TADDONIO and PERRY **HOUSE BILL No. 1433**

An Act amending "The Administrative Code of 1929," approved April 9, 1929 (P. L. 177, No. 175), further providing for appointments.

Referred to Committee on State Government.

By Mr. RHODES, Mrs. WHITTLESEY, Messrs. REED,  
OLIVER, MISCEVICH, M. E. MILLER, JR., GRING,  
LYNCH and RYAN **HOUSE BILL No. 1434**

An Act amending the "Disease Prevention and Control Law of 1955," approved April 23, 1956 (P. L. 1510, No. 500), including malignant neoplasms and cardiovascular diseases as reportable diseases and further providing for confidentiality of reports.

Referred to Committee on Health and Welfare.

By Messrs. RHODES, FINEMAN, IRVIS, BERSON, PRENDERGAST, ENGLEHART, BONETTO, CAPUTO, ITKIN, Mrs. GILLETTE, Messrs. TRELLO, COWELL, ABRAHAM, M. M. MULLEN, FLAHERTY, MENHORN, ROMANELLI, JOHNSON, O'DONNELL, Mrs. TOLL, Messrs. GREENFIELD, STAPLETON, MORRIS, SCHMITT, BARBER, BLACKWELL, ROSS, HAMMOCK, RICHARDSON, LINCOLN, COHEN, YOHN and RENNINGER

**HOUSE BILL No. 1435**

An Act amending the act of April 9, 1849 (P. L. 533, No. 358), entitled "An act to exempt property to the value of three hundred dollars from levy and sale on execution and distress for rent," increasing the amount of exempt property.

Referred to Committee on Judiciary.

By Messrs. RHODES and HAMMOCK

**HOUSE BILL No. 1436**

An Act amending the act of July 16, 1968 (P. L. 351, No. 173), entitled, as amended, "An act authorizing the establishment of prisoner pre-release centers and release plans under the jurisdiction of the Department of Justice and defining its powers and duties," prohibiting release plans for persons sentenced to death, limiting the eligibility for pre-release plans of persons sentenced to life imprisonment and making an editorial change.

Referred to Committee on Judiciary.

By Messrs. PITTS, WILSON, RENNINGER and KOLTER

**HOUSE BILL No. 1437**

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), exempting the use of certain airplanes and aircraft from the sales tax.

Referred to Committee on Finance.

By Messrs. WOJDAK, GALLAGHER, O'DONNELL, M. E. MILLER, JR., BELLOMINI, VANN, DOMBROWSKI, FEE, BENNETT, GILLESPIE, STAPLETON, O'KEEFE, GIAMMARCO, WRIGHT, LETTERMAN, SULLIVAN, PIEVSKY, TAYLOR, McCALL, DiCARLO, LINCOLN, LEDERER, TAYOUN, BURNS, LAUGHLIN, BRADLEY, McLANE, WANSACZ, SCHWEDER, REED, Mrs. TOLL, Mrs. KELLY, Messrs. DiDONATO, MYERS, RIEGER, McINTYRE, OLIVER, GLEASON, WHELAN, USTYNOSKI, FISHER, MEBUS, LYNCH, PERRY and KATZ

**HOUSE BILL No. 1438**

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for purchase of books for nonpublic school children.

Referred to Committee on Education.

By Messrs. WOJDAK, GALLAGHER, O'DONNELL, M. E. MILLER, JR., BELLOMINI, VANN, DOMBROWSKI, TAYOUN, FEE, LEDERER, BENNETT, GILLESPIE, O'KEEFE, TAYLOR, STAPLETON, GIAMMARCO, WRIGHT, LETTERMAN, SULLIVAN, PIEVSKY, McCALL,

DiCARLO, LINCOLN, BRADLEY, Mrs. TOLL, Messrs. BURNS, FISHER, LYNCH, LAUGHLIN, McLANE, WANSACZ, SCHWEDER, REED, Mrs. KELLY, Messrs. DiDONATO, MYERS, RIEGER, McINTYRE, OLIVER, GLEASON, WHELAN, USTYNOSKI, MEBUS, PERRY and KATZ

**HOUSE BILL No. 1439**

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for auxiliary services for the benefit of children attending nonpublic schools in the Commonwealth.

Referred to Committee on Education.

By Messrs. GLEASON, DOYLE, BUTERA, PANCOAST, RYAN, Mrs. WHITTLESEY, Messrs. WHELAN, M. E. MILLER, JR., BEREN, SCIRICA, SALOOM, O'KEEFE, WRIGHT, GILLESPIE, KATZ, WOJDAK, BURNS, USTYNOSKI, FISHER, KNEPPER, LYNCH, TADDONIO, STAPLETON, MEBUS and PERRY

**HOUSE BILL No. 1440**

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for the purchase of books, defining school supplies and providing for their purchase for nonpublic school children.

Referred to Committee on Education.

By Messrs. GLEASON, DOYLE, BUTERA, M. E. MILLER, JR., PANCOAST, Mrs. WHITTLESEY, Messrs. WHELAN, LYNCH, BEREN, SCIRICA, SALOOM, O'KEEFE, WRIGHT, GILLESPIE, KATZ, WOJDAK, BURNS, USTYNOSKI, FISHER, STAPLETON, MEBUS and PERRY

**HOUSE BILL No. 1441**

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), providing for auxiliary services for the benefit of children attending nonpublic schools in the Commonwealth.

Referred to Committee on Education.

**HOUSE RESOLUTION INTRODUCED AND REFERRED**

By Messrs. D. S. HAYES, REED, GREEN, DOMBROWSKI, A. C. FOSTER, MANMILLER and Mrs. CRAWFORD

(Concurrent) **RESOLUTION No. 111**

The General Assembly of the Commonwealth of Pennsylvania solemnly and respectfully urges that the Supreme Court of Pennsylvania recognize the magnitude of public trust in the constable as a law enforcement official and the proportionate responsibilities growing out of that trust.

Referred to Committee on Rules.

**SENATE MESSAGE**

**HOUSE BILLS CONCURRED IN BY SENATE**

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

**HOUSE BILL No. 118**

An Act amending the act of July 12, 1972 (P. L. 781, No. 185), entitled, as amended, "Local Government Unit

Debt Act," providing for exemption from department approval of bonds or notes or lease rental debt of fifty thousand dollars or thirty percent of the borrowing base, whichever is less.

**HOUSE BILL No. 218**

An Act amending the act of August 8, 1961 (P. L. 975, No. 436), entitled "An act defining milk and its derivatives, prohibiting its adulteration, regulating its labeling, sale and serving; . . . , " further providing for definitions; and providing for the establishment of standards for milk and dairy products.

**HOUSE BILL No. 522**

An Act amending the act of June 26, 1974 (No. 21-A), entitled "The General Appropriation Act of 1974," further providing for the use of certain appropriations.

With information that the Senate has passed the same without amendment.

**SENATE MESSAGE**

**AMENDED SENATE BILL CONCURRED IN BY SENATE**

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to Senate bill numbered and entitled as follows:

**SENATE BILL No. 292**

An Act authorizing the Borough of Shamokin Dam to transfer certain Project 70 lands in Snyder County to the Department of Transportation for a highway project under certain conditions.

**SENATE MESSAGE**

**AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE**

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

**HOUSE BILL No. 366**

An Act amending the act of December 6, 1972 (P. L. 1376, No. 292), entitled "Second Class County Jury Selection Act," providing for a master list, further defining offenses and penalties, clarifying appeal procedure and providing protection for juror's employment.

**HOUSE BILL No. 631**

An Act amending the act of April 13, 1972 (P. L. 184, No. 62), entitled "Home Rule Charter and Optional Plans Law," changing provisions relating to terms of office.

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

The SPEAKER. The bills will appear on the calendar.

**RECONSIDERATION OF VOTE ON HOUSE BILL No. 528**

Mr. COLE moved that the vote by which HOUSE BILL No. 528, printer's No. 1518, entitled:

An Act amending the "Child Labor Law," approved May 13, 1915 (P. L. 286, No. 177), authorizing the employment of minors as entertainers in certain licensed establishments.

was agreed to on final passage on Tuesday, June 10, 1975, be reconsidered.

Mr. LINCOLN seconded the motion.

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

On the question recurring,  
Shall the bill pass finally?

**HOUSE BILL No. 528 PLACED ON FINAL PASSAGE POSTPONED CALENDAR**

Mr. COLE moved that House bill No. 528, printer's No. 1518, be placed on the final passage postponed calendar.

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

**HOUSE BILL No. 1336 AND AMENDMENTS TAKEN FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I move that House bill No. 1336, printer's No. 1561, along with the amendments be taken from the table.

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

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

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

Amend Sec. 2, page 9, by inserting between lines 2 and 22:  
For the Pennsylvania Industrial Development Authority for construction loans ..... 5,000,000

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

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

Mr. MEBUS. My question, Mr. Speaker, was whether or not these amendments bore Mr. Goodman's name or was he offering them in someone else's name, because I cannot see any amendments that bear his name in the stack that I have received?

The SPEAKER. Will the gentleman from Schuylkill Mr. Goodman, respond to that inquiry?

Mr. GOODMAN. Yes.

Mr. Speaker, it is partly because my name is not very clear on them. Actually there are additional names on the amendments, Mr. O'Brien's and Mr. McCall's, and so forth. Their names are clearer than mine.

The first amendment is for \$5 million for PIDA.

The SPEAKER. Will the gentleman, Mr. Goodman please advise the membership of the House the page and the line number to which his amendment is applicable in the bill?

Mr. GOODMAN. Yes, Mr. Speaker. This first amendment amends section 2, page 9, by inserting between

lines 21 and 22: "For the Pennsylvania Industrial Development Authority for construction loans ..... 5,000,000."

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

Mr. WOJDAK. Mr. Speaker, I rise to oppose this amendment. For the PIDA program, Mr. Speaker, this increase or this \$5-million request made by Mr. Goodman has not been advocated by the Commerce Department. It was not requested in the Governor's budget.

At the budget hearings I had asked specifically if the bond financing of the PIDA program was working right, and the response from the Secretary was that, in fact, it was working. Up to date we have had no requests. There appears to be no problem in the PIDA program. From what I understand from the budget hearings, from the Secretary of Commerce, the bond financing is adequately handling the program.

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Goodman.

Mr. GOODMAN. Mr. Speaker, will the gentleman agree to some interrogation, please?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Wojdak, consent to interrogation?

Mr. WOJDAK. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. GOODMAN. Mr. Speaker, you say the bond program is working right. Can you tell me how much moneys PIDA has obtained from this bond program?

Mr. WOJDAK. I do not know the specific answer to that, Mr. Speaker.

Mr. GOODMAN. I think I do and it is zero. This bond program was initiated in the last session of the legislature, and, to this date, PIDA has not realized any funds from this program.

Mr. WOJDAK. As I recall, I believe the method of using bonds to finance the program was under question. In fact, I believe there is a lawsuit over it. We have indications that it can work and can be financed in that manner. I believe the Secretary agrees with that. They have the ability to float bonds to pay for the PIDA program and they have gone to this alternate means of financing it.

Mr. GOODMAN. The point is, Mr. Speaker, the Secretary Arader, who sold us this program, was certain also that it could work. It was initiated last year. PIDA last year went through the entire year without realizing any funds from the bond program or without an appropriation from this General Assembly. This is a program that is not costing the Commonwealth money but is actually realizing us money, especially in our depressed areas, which has really been the savior for depressed areas by bringing industry into it.

We have PIDA funding of an industry coming into an area at 4 percent, a low-interest loan. It can be guaranteed a minimum of at least 50 jobs for every project and, in most cases, greater than that. We have construction activity in an area. We have an industry which is paying a corporate income tax and we are putting a minimum of 50 people to work. This is the kind of program that we should be encouraging and not leaving entirely out of a budget.

I was one who went along with this program of floating bonds when it was sold by the secretary last session.

However, at the time that he sold this program, the prime interest rate was at a level where it sounded as a feasible kind of a program. But since that time the prime interest rate was raised to such an extent where the program has not worked at all and PIDA has not realized any funds from it.

The Department of Commerce has projects of which they have approved, pending the approval of moneys, in excess of the revolving fund of some \$12 million to \$13 million. I think it is incumbent upon this legislature to fund a program that has worked so adequately.

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

Mr. DeVERTER. Thank you, Mr. Speaker. Mr. Speaker, I rise in support of the amendment. I do so reluctantly, knowing that perhaps the funds are not being taken from some other area as I would so wish. But I do believe it is important. As Mr. Goodman has pointed out, PIDA does have some \$30 million in commitments right now which they cannot fund. Additionally, they have not taken any new applications since last October.

If we intend to continue forward in this Commonwealth, attracting business and industry to it and providing the jobs that your people are looking for; then I would strongly suggest that, perhaps, we support this amendment.

Mr. Speaker, could I interrogate the gentleman, Mr. Wojdak, please?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Wojdak, consent to interrogation?

Mr. WOJDAK. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. DeVERTER. Mr. Speaker, do you know for a fact, as Mr. Goodman has pointed out, that the bonding issue has been sold or not sold or what the time schedule is for it?

Mr. WOJDAK. Well, I have been advised that there is a \$50-million bond issue for PIDA that was sold or is scheduled for sale in the last week of June. It is a \$50-million bond package.

Mr. DeVERTER. Mr. Speaker, have you been in contact with the Department of Commerce in the recent days or weeks regarding this?

Mr. WOJDAK. Yes, I have.

Mr. DeVERTER. Do you know for a fact that the Governor has met with some of the people who were supposed to help us sustain that bond issue?

Mr. WOJDAK. I do not know whom the Governor has met with.

Mr. DeVERTER. Do you know for a fact that the earliest those bonds would be sold is this fall and that presently PIDA is almost without funding?

Mr. WOJDAK. Well, this information just came from the budget office. They are scheduled for sale in the last week of June. It is a \$50-million bond issue; that would more than adequately cover the needs of the PIDA program.

Mr. DeVERTER. That may have been true at one point but it has been brought to our—

Mr. WOJDAK. No, it is true at this point.

Mr. DeVERTER. It has been brought to our attention that the bond issue will not be floated until late fall.

Mr. WOJDAK. Well, the information that I have is that it is ready for late June.

Mr. DeVERTER. Well, I guess I cannot argue the point, Mr. Speaker, since you have a greater degree of access to the Governor's office than I do.

Even though the money is \$5 million and it is not being taken from any other area, I intend to support it and I strongly urge others to do so also. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Bennett.

Mr. BENNETT. Mr. Speaker, I rise in opposition to the amendment offered by my colleague, Mr. Goodman.

There seems to be some confusion as to the bonding principle that we are using with the PIDA program. I would agree with the statement made by the Appropriations Committee chairman; the latest information that I have, as the chairman of the Business and Commerce Committee, is that the \$50-million bond issue is scheduled for late June.

I concur with the statements made by Mr. Goodman that the PIDA program is a good program. There is no question of that in my mind and, I am certain, in the minds of any of the members of this House of Representatives. However, I reiterate, I do not think we need the \$5 million at this time for the PIDA program. There is standby legislation. There is a bill drafted for the \$5 million in case it is needed later on in this calendar year. I would ask that we defeat this amendment, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Lebanon, Mr. Seltzer.

Mr. SELTZER. Thank you, Mr. Speaker.

Yesterday when we first began to debate this bill before us, I made a statement wherein I spoke about sexy programs which we were going to have to consider in this budget, which would cost more money and which were outside the total amount of money available to us to spend this year. Here is a great example of a real sexy program. It is not only sexy; it is a great program. Probably one of the greatest economic programs this General Assembly has ever developed for this Commonwealth of Pennsylvania.

It is very difficult for me to stand here and support this \$5-million additional appropriation, because it is outside of the amount of money that is available. But I am going to support it and I am going to ask the members of this House to support it, because later on today there is going to be at least one other amendment to add more money to the PIDA program. That amendment will also carry another line wherein the money will be transferred from somewhere else in the budget to the PIDA program. So when we adopt this amendment and that amendment, we will then stay within the moneys available.

This is probably one of the greatest programs which we have in Pennsylvania, and we should continue to support it, regardless of what happens to the new program to which the gentlemen, Mr. Bennett and Mr. Wojdak, have referred to to replace PIDA.

I do not think there is any program which will ever replace PIDA. I think the program referred to will be an addition to PIDA and a good addition to PIDA. But let us keep PIDA going.

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

Mr. WOJDAK. Mr. Speaker, I would agree it is a great program, but what we are really doing here is questioning the means of funding that program.

I have information that there is a \$50-million bond issue which is going to be floated at the end of June which will more than adequately fund this program. Everyone is in agreement with it. The administration is in agreement that this is the means of funding the program. The Secretary of Commerce is in agreement that this is the way of funding the program. There will be sufficient moneys available at the end of June. Even if there is a bad bond market, the bonds can be discounted. The funds will be available to fund all the projects that Mr. Goodman refers to. It is the way to go. Everyone agrees it is the way to go. There is no reason for this General Assembly to put \$5 million into this program which, in my estimation, will not be used in the program. At that point it would be overfunded.

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Goodman.

Mr. GOODMAN. Mr. Speaker, on that point, I think there is some further clarification of this so-called bond issue that needs to be made.

Number one, I believe the issue that is contemplated for the end of July, according to my information, is for \$35 million, not \$50 million. However, there is a further encumbrance upon this bond issue in that, because of IRS and Security Exchange Commission rulings, these bond issues will be thirty-five \$1-million issues, which means that the department, in any given project, cannot allocate any more than \$1 million for any given project.

If we have a \$10-million industrial plant coming into an area and PIDA is funding it at the 40-percent level, we have a \$4-million contribution necessary for PIDA to make. The bond issue, if it is successful—and there is still controversy as to whether or not this one will fly because none has before—they can only be funded out of the bond issue to the tune of the \$1 million. The additional \$3 million must come out of either the revolving funds or an appropriation made by the General Assembly.

As I pointed out previously in my remarks, projects that are already approved, pending the approval of moneys, already exceed the moneys in the revolving fund by some \$12 million to \$13 million.

The only reason this amendment that I am offering here today is for \$5 million is because of the tight budget situation that we are in. Actually \$5 million into this program is a drop in the bucket; it is not going to go very far in what is necessary to adequately fund PIDA at all. If we would only look at the bottom line, we would see what a program like this means to us. We can very well justify our fiscal responsibility by realizing that we are taking people off unemployment compensation rolls—which are up in the double-digit figures in the Commonwealth—and taking people off welfare rolls and putting them to work to be taxpaying citizens, and having the additional corporations in our Commonwealth paying taxes. The bottom line of this program is actually going to be a plus into the state's coffers rather than a minus.

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Hutchinson.

Mr. W. D. HUTCHINSON. Mr. Speaker, I rise briefly in support of this amendment. I ask any gentleman in

this House, when he is voting on this, to consider the fact of what PIDA has done and to look at the unemployment in your district and look at what this will do.

This again is an area in which we have to make some judgments. We have to establish some priorities. I am distressed about the size of this budget, but this is a plus for the Commonwealth.

I, for one, cannot go back home and face the people back home, with a 10- or 11-percent unemployment in my district, and say that I did not vote for this which will bring jobs in and bring revenue into the Commonwealth ultimately.

Thank you.

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

Mr. L. E. SMITH. Mr. Speaker, I want to add my word of support for this amendment. PIDA has always been very high on my priority list because it is a producing program. It is not a program where we are giving money away constantly. This is a program that will produce for Pennsylvania.

I was amazed when I looked at the Governor's budget, at a time when unemployment was reaching new highs in Pennsylvania, to discover that all he did for the Department of Commerce was keep the present staff employed. He had no money for PIDA, no money for site development, no money for tourist promotion. The Department of Commerce was like a stepchild in his budget.

I would urge you to support this amendment. If—and I say "if" with a real question—the bond issue does go as scheduled, this money can be lapsed. I am sure the Appropriations Committee chairman can find a spot for it if the bond issue does go. But we should give this assurance to the department and let them proceed with applications and processing of applications to insure jobs for Pennsylvania.

Thank you.

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

Mr. ITKIN. Mr. Speaker, yesterday the House defeated a number of very worthy programs that would have helped the residents of Allegheny County and other residents throughout the state. The statement that I would like to leave with you today is: If there was not enough money for those programs yesterday, why should there be any money for this program today?

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

Mr. VROON. Mr. Speaker, I would like to add my support to this amendment. I think it is very important for the members of this House to realize that Pennsylvania is lagging behind other states in promoting industrial development. Every time I look at a good newspaper or a good financial publication, I see ads from other states promoting industry into their state. I see evidence of people from other states coming into Pennsylvania and recruiting industry out of Pennsylvania for their states. I see evidence in New Jersey of a very strongly budding industrial development program. In fact, I personally paid a visit to the development authority in New Jersey and learned firsthand what they were doing in New Jersey.

As you know, New Jersey's unemployment rate far

exceeds ours, and so does that of many other industrial states. But we should be progressive enough to take a forward step here and provide the Commerce Department with money which will not only finance new projects in the state, but finance a recruiting program for industry in our state to bring employment.

This is an investment. This is not shooting money out for nothing. This is an investment which will be returned in spades, if you want to call it that.

One other thing: We are also well aware, I think, of what we mean by the words "transfer payments." Transfer payments cover moneys that are given away for one reason or another to people who do not work for them. This does not fall into the category of transfer payments. Nationwide, transfer payments cost up to 20 percent of our national income. Are you aware of that?

This is in the category of positive investment, not transfer payments. The \$5-million allocation to the Department of Commerce for this purpose is peanuts and it will pay off in spades.

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Bennett.

Mr. BENNETT. Mr. Speaker, there seems to be some, perhaps, confusion on the floor of this House relative to the PIDA program. I have not heard anybody on either side of the aisle say that PIDA is not a good program. Of course it is. There is no quarrel with that.

Mr. Seltzer says it is a sexy program. That may be. We know it is a good program. We are not arguing that point. We are simply saying, at this particular time the Department of Commerce has told us that the bond-financing program which they have will adequately fund the PIDA program.

If I am to be the next person up here, I know that I am going to be offering amendments for other programs having to do with the Department of Commerce. A statement was made a little while ago that Commerce is not being adequately funded. I can agree with that in part. I will be offering amendments for site development, for industrial development authorities and for tourist promotion.

That is not the point that we are discussing now. We are discussing a \$5-million appropriation to the Department of Commerce for the PIDA program. I repeat, Commerce tells us that the financing program that they have is adequate to fund the PIDA program. I will again ask for a negative vote on this amendment.

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

Mr. WOJDAK. Mr. Speaker, the issue here is the method of funding what everyone agrees is an excellent program.

Earlier I referred to a \$50-million bond issue and I was mistaken in that. There will be \$50 million in the PIDA fund for this coming fiscal year. There is presently \$15 million in the fund; \$26 million is committed; there is a \$35-million—and Mr. Goodman is correct—bond issue scheduled for the end of June. We are talking about a fund that will more than adequately cover the needs of the PIDA program. That is not only my opinion; it is the opinion of the Secretary of Commerce, the budget office and the administration.

You are talking about a means of funding. The funding will be available. This \$5 million, which you are

attempting to take from the general fund for use in the PIDA program, really is not needed there, in everyone's opinion, despite what has been said on this floor today. We are talking about a method of funding. I believe the correct method, the right way to go on this, is via the bond program. I ask for a negative vote on the amendment.

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

The yeas and nays were required by Messrs. GOODMAN and WOJDAK and were as follows:

YEAS—112

Abraham	Grieco	Mebus	Shupnik
Anderson, J. H.	Halverson	Miller, M. E.	Sirianni
Beren	Hasay	Milliron	Smith, E.
Bittle	Haskell	Mullen, M. P.	Smith, L.
Bonetto	Hayes, D. S.	Musto	Spencer
Bradley	Hayes, S. E.	Myers	Stahl
Brandt	Hepford	Noye	Stout
Brunner	Hill	O'Brien	Taddonio
Burns	Hopkins	O'Connell	Taylor
Butera	Hutchinson, W.	Oliver	Turner
Cessar	Katz	Pancoast	Ustyonski
Cimini	Kistler	Parker, H. S.	Vroon
Crawford	Klingaman	Petrarca	Wagner
Cumberland	Knepper	Pitts	Walsh, T. P.
Davies	Kolter	Polite	Wansacz
Davis, D. M.	Kusse	Pyles	Wargo
DeMedio	LaMarca	Reed	Weidner
Deverter	Lederer	Renninger	Westerberg
Dietz	Lehr	Renwick	Whelan
Dorr	Levl	Rieger	Whittlesey
Fischer	Lynch	Ryan	Wilson
Fisher	Manmiller	Salvatore	Wilt, R. W.
Foster, A.	McCall	Scheaffer	Wilt, W. W.
Foster, W.	McClatchy	Schweder	Worriow
Gallen	McCue	Seirica	Wright
Geesey	McGinnis	Seltzer	Yahner
Gleason	McIntyre	Shelhamer	Yohn
Goodman	McLane	Shuman	Zearfoss

NAYS—79

Arthurs	Geisler	Lincoln	Ritter
Barber	George	Manderino	Romanelli
Bellomint	Giammarco	Milanovich	Ross
Bennett	Gillespie	Miller, M. E., Jr.	Ruggiero
Berlin	Gillette	Miscevich	Schmitt
Berson	Green	Moehlmann	Shane
Blackwell	Greenfield	Morris	Stapleton
Cole	Gring	Mrkonic	Sullivan
Cowell	Hamilton, J. H.	Mullen	Tayoun
Dicarlo	Hammock	Novak	Toil
DiDonato	Hutchinson, A.	O'Donnell	Trello
Dombrowski	Irvis	O'Keefe	Valicenti
Doyle	Itkin	Perri	Vann
Dreibelbis	Johnson, J.	Perry	Wojdak
Eckensberger	Kelly, A. P.	Pievsky	Zeller
Englehart	Kelly, J. B.	Pratt	Zord
Fee	Kernick	Prendergast	Zwilk
Flaherty	Kowalyszyn	Rappaport	
Fryer	Laughlin	Rhodes	Fineman,
Gallagher	Letterman	Richardson	Speaker
Garzia			

NOT VOTING—12

Caputo	Fawcett	McGraw	Shelton
Cohen	Gleeson	Menhorn	Sweeney
Dininni	Laudadio	Saloom	Thomas

So the question was determined in the affirmative and the amendment was agreed to.

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

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

Amend Sec. 2, page 9, line 29, by striking out "650,000" and inserting: 1,000,000

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

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Goodman.

Mr. GOODMAN. Mr. Speaker, this amendment amends section 2, page 9, line 29, by striking out "650,000" and inserting "1,000,000" dollars.

This appropriation will fund the site development program. It is a program by the Department of Commerce establishing sites for industries to locate in and to bring in power lines and water lines and things of that nature. It is actually a necessary thing before we can really locate and bring in the industry that is funded under the PIDA program.

The Department of Commerce had requested \$3 million in their budget for this program. The Governor's office completely cut it out, and the Appropriations Committee put in \$650,000.

Once again, I think this \$1 million is really a drop in the bucket to what is really needed to adequately fund the program. The amendment is only for \$1 million, once again, because of the tight budget situation that we are in.

The members should know that for any given project funded under the Site Development Program, no more than 10 percent of the appropriation that is made by the General Assembly can go to any one given project. This means that, even under the \$1-million appropriation, if there are 10 projects at \$100,000, it would completely use up the funds under this program.

Last year, the General Assembly appropriated \$1 million for site development. Through the use of these funds, 23 projects were completed, which shall create 14,630 jobs and save another 6,127 jobs throughout the Commonwealth. This is from the Department of Commerce.

QUESTION OF PERSONAL PRIVILEGE

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

Mr. OLIVER. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. OLIVER. Mr. Speaker, I voted in error on Mr. Goodman's first amendment to House bill No. 1336. I meant to vote in the negative.

The SPEAKER. The gentleman's remarks will be noted for the record.

The Chair recognizes the gentleman from Philadelphia, Mr. Wojdak.

Mr. WOJDAK. Mr. Speaker, as Mr. Goodman indicated, it is an amendment for increasing site development.

As the membership knows and as Mr. Goodman indicated, the site development program is used to prepare existing sites for industrial location, to put in water lines, sewer lines, pavement, et cetera.

Now the Budget Secretary had recommended a zero funding for this program. The reasoning for that was this: The Pennsylvania census of industry indicates that there is presently a large surplus of unused industrial sites in the State of Pennsylvania. When we analyzed this particular item, we were concerned about a par-



ticular town that may have a site there, despite the fact that there is a surplus of unused sites in this state.

So we put the figure of \$650,000 into the budget, concerned really with providing a cushion for a particular township or town with the site, the only site there, and we provided some moneys for that particular problem.

Statewide, there is a surplus. I do not think there is any need for moneys beyond the \$650,000. I would ask for a negative vote on the amendment.

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Bennett.

Mr. BENNETT. Mr. Speaker, I said the last time I was at this mike that there were other programs in the Department of Commerce that I felt had been underfunded. I rise now to support Mr. Goodman on this amendment. It is the amendment for site development, as we have been told.

Mr. Wojdak has told us that the main purpose of the site development program has been to provide matching funds. I think the term "matching funds" is the important point that we ought to address ourselves to. It is not a give-away program. It is a program that individual county development authorities are responsible for and to.

There are presently 11 counties where programs are planned, 10 of which have unemployment rates in excess of 9 percent. The new Federal legislation amending the Public Works and Economic Development Act allocates \$233,000 to Pennsylvania. These funds require a 25-percent state match, and the only logical program to provide that match is the site development program. I would ask for an affirmative vote on Mr. Goodman's amendment.

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

Mr. DeVERTER. Thank you, Mr. Speaker.

I, too, rise to support Mr. Goodman's amendment. I, too, feel the funds are not sufficient. I am disillusioned that it has not been taken from some other area of the budget, but I do intend to support it because it again is high on my priority list to help provide jobs in this Commonwealth for our people.

Should you have any doubts as to whether or not you should support this amendment or any additional money into the site development fund, presently the department has a potential site development of some 33 projects in 25 counties, totaling better than \$2.3 million. One of those counties just may be yours. They are for a multitude of programs that I am sure will benefit your area. I would ask the membership to cast an affirmative vote for the amendment.

Thank you, Mr. Speaker.

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

Mr. VALICENTI. Mr. Speaker, I ask for a negative vote.

We have been here now for about 45 to 50 minutes. We have already given away \$5 million, and this one is going to cost more. Yesterday we were here all day and we did not give anything away. So I think what we ought to do is just cut it off. It is a good program, but let us just cut it off.

Thank you.

The SPEAKER. The Chair recognizes the majority whip.

Mr. MANDERINO. Mr. Speaker, much in the vein of what the previous speaker said, I would like to rise in opposition to the amendment. I would like to point out to the members of the General Assembly, particularly to those who, I am sure, have heard from the constituents at home that we ought to hold the line on state spending, that we ought to cut our state spending, because the people back home cannot continue to pay the increases in taxes that increased spendings necessitate.

Every program and every line in the budget of the General Assembly in the general-appropriation deal in some manner reflects programs that this General Assembly thought were beneficial to the people of Pennsylvania. We enacted those programs and we funded those programs. So there is no question about that. Every one of the amendments that we will be talking about today, as this amendment, is for a program that we in the General Assembly thought was good enough to fund, thought was good enough for the people, that it would provide a measure of benefit, that it was worth the money that we were spending in that program. But you cannot justify and you cannot reconcile continuing those appropriations at last year's level in all cases without eventually coming to the conclusion that this Commonwealth is going to need more funds.

So I think in general the people back home have told us to hold the line, and you are going to have to hold the line on every one of these individual amendments in order to come out with a total package that does not exceed the revenue estimates that we have projected. I think the place to start is with this amendment. Perhaps the place to start was with the amendment which we just passed. But if we continue with this pattern of saying that that program is a good program and we ought to fund it like we funded it last year, we are in serious trouble fiscally and budgetarily.

The people back home have sent a message, in my opinion, and have told us to hold the line, to keep the budget down, do not get into a position where new taxes are needed; and there is only one way to do that. Some of these programs which we have said, by our enactment of the programs, are beneficial to the people of Pennsylvania, are going to have to be cut back.

I think this General Assembly demonstrated that when we talked to the state colleges and we added in the appropriation bill the measure of retrenchment and the measure of scholarships for faculty. This is part of that. You have got to hold the line; and if we do not, downstream; when we add all the increases that are going to be proposed today—if the pattern continues to accept them—downstream; you are looking at a budget that we cannot fund within the present revenue estimates. I ask you to consider that when you vote on not only this amendment but every amendment today.

Thank you, Mr. Speaker.

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

Mr. TRELLO. Mr. Speaker, I rise in opposition to this amendment. Yesterday I understood that \$5 million was a lot of money; today I have heard \$5 million referred to as "peanuts" or "a drop in the bucket."

Back in Allegheny County, we have our own industrial development program. We have never asked the

state for a dime. In the past 5 years that it has been in existence, we have succeeded in saving or creating 22,000 jobs and having \$271 million poured into new programs in Allegheny County. We never came to this Assembly here to beg for any money for our programs. I think if the other counties have some initiative, they can do their own work, too, and I rise to oppose this amendment.

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

Mr. A. C. FOSTER. Mr. Speaker, I rise to strongly support this amendment because I think the \$350,000 figure here is truly a worthwhile investment. I have been asked by a number of constituents to support this program.

I would like to point out, in answer to the gentlemen, Mr. Manderino, Mr. Trello, and Mr. Valicenti, that I have an amendment to be introduced later in the day which will preserve some \$16 million. I am not seeking to encumber those funds by asking for any additional program there.

So certainly we can make an investment of \$350,000 for the industrial well-being of our Commonwealth and for a program that will help to create jobs and put people to work in our Commonwealth. I would ask everyone to lend their support to this amendment.

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

Mr. LINCOLN. Mr. Speaker, I rise at this time to oppose this amendment. I do so with the knowledge that my county is one of the ones that will benefit very greatly from this type of legislation.

I have heard quite a few of my colleagues from the other side of the aisle speaking in behalf of the amendment that we just passed and this amendment that we are now working on. It seems a little strange to me that, if my memory serves me correctly, 2 years ago when I first came into the House, we were here until about 3:30 in the morning and I think we offered 37 or 38 or 39 amendments and only one of those amendments passed. And the one amendment which strikes me as being the one that I will remember probably all my life was an \$80,000 amendment to increase the pensions of blind veterans. I think if the gentlemen on the other side of the aisle would look at the vote that day, that at least 95 percent of them voted against an \$80,000 appropriation, which really was not very much money, as I just heard the previous speaker say.

I think that it is incumbent upon the members of this House to accept the fact that we are going to have to hold the line, not only on fine projects such as PIDA, but on many others that are going to be offered before us today. I would suggest that if they want to be responsible to their constituents, they will vote against all the amendments such as this one.

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Hutchinson.

Mr. W. D. HUTCHINSON. Mr. Speaker, I have listened with attention and care to the remarks of the gentleman from Allegheny and the remarks of the gentleman who just spoke.

I think that you have to consider something about this. I support this amendment. I support it for this reason: We will never be able to fund the humane pro-

grams that many of us support unless we have people working who can help pay for those programs.

What is happening in this state and what is happening in this nation is that there are not enough jobs and there are not enough people working to support the programs for the others who, for whatever reason, are unfortunate or otherwise cannot work. This creates jobs. This creates work. This is where we should put our money. This is where our priorities should be. I urge support of the amendment.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Schuylkill, Mr. Goodman.

Mr. GOODMAN. Mr. Speaker, I do not know what message the minority leader and some of the other speakers have been getting at home, but if there is any message that I am getting—and I believe that the other members are getting—which is louder and clearer than the message of holding the line, it is to provide jobs for people. We are talking about a double-digit unemployment rate in the Commonwealth of Pennsylvania. It is pennywise and pound foolish to starve a program like this which is going to bring in jobs for people, take them off the unemployment compensation and welfare rolls, and put them to work to be producing, taxpaying citizens. They want jobs more than anything. This is the kind of program that is absolutely necessary and vital to provide those jobs that we need in the Commonwealth.

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

Mr. TRELLO. Mr. Speaker, the gentleman on the other side of the aisle made a remark about creating jobs to support human-services programs. If there is no demand for lollipops, why make them? He knows as well as everybody else knows that jobs depend on the law of supply and demand. We have the supply and there is no demand right now. I urge everybody to defeat this amendment right now.

The SPEAKER. The Chair recognizes the gentleman from Lycoming, Mr. Grieco.

Mr. GRIECO. I am only going to take a minute.

Last week we heard the welfare workers yell, "We want jobs, we want jobs." This is the way to give them jobs. Vote for the amendment. Thank you.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. GOODMAN and WOJDAK and were as follows:

## YEAS—123

Anderson, J. H.	Goodman	McIntyre	Shuman
Bennett	Grieco	McLane	Shupnik
Beren	Gring	Mebus	Sirianni
Bittle	Halverson	Miller, M. E.	Stahl
Blackwell	Hasay	Miller, M. E., Jr.	Smith, E.
Bradley	Haskell	Milliron	Smith, L.
Brandt	Hayes, D. S.	Moehmann	Spencer
Brunner	Hayes, S. E.	Mullen, M. P.	Stout
Burns	Hepford	Musto	Taddonio
Butera	Hill	Myers	Taylor
Cessar	Hopkins	Noye	Tayoun
Cimini	Hutchinson, A.	O'Brien	Turner
Crawford	Hutchinson, W.	O'Connell	Ustynoski
Cumberland	Katz	Pancoast	Vroon
Davies	Kelly, J. B.	Parker, H. S.	Wagner
Davis, D. M.	Kistler	Ferri	Walsh, T. P.
DeMedio	Klingaman	Petrarca	Wansacz
Deverter	Knepper	Pitts	Weidner
DiDonato	Kolter	Polite	Westerberg

Dietz	Kowalyszyn	Pyles	Whelan
Dorr	Kusse	Reed	Whittlesey
Englehart	LaMarca	Renninger	Wilson
Fischer	Lehr	Renwick	Wilt, R. W.
Fisher	Letterman	Ross	Wilt, W. W.
Foster, A.	Levi	Ruggiero	Worrlow
Foster, W.	Lynch	Ryan	Wright
Gallen	Manmiller	Salvatore	Yahner
Geesey	McCall	Scheaffer	Yohn
George	McClatchy	Scirica	Zearfos
Giammarco	McCue	Seltzer	Zwinkl
Gleason	McGinnis	Shelhamer	

NAYS—68

Abraham	Garzia	Milanovich	Ritter
Arthurs	Geisler	Miscevich	Romaneli
Barber	Gillespie	Morris	Schmitt
Bellomini	Gillette	Mrkonic	Schweder
Berlin	Green	Mullen	Shane
Berson	Greenfield	Novak	Shelton
Bonetto	Hamilton, J. H.	O'Donnell	Stapleton
Cole	Hammock	O'Keefe	Toll
Cowell	Irvis	Oliver	Trello
Dicarlo	Itkin	Perry	Valicenti
Dombrowski	Johnson, J.	Pievsky	Vann
Doyle	Kelly, A. P.	Pratt	Wojdak
Dreibelbis	Kernick	Prendergast	Zeller
Eckensberger	Laughlin	Rappaport	Zord
Fee	Lederer	Rhodes	
Flaherty	Lincoln	Richardson	Fineman.
Fryer	Manderino	Rieger	Speaker
Gallagher	Menhorn		

NOT VOTING—12

Caputo	Fawcett	McGraw	Sweeney
Cohen	Gleason	Saloom	Thomas
Diminni	Laudadio	Sullivan	Wargo

So the question was determined in the affirmative and the amendment was agreed to.

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

Mr. ROMANELLI. Mr. Speaker, I wish you would have the vote by which the last two amendments passed tallied, duplicated and circulated to every member of the House, and I want to see as many votes up there when it comes time to raise the taxes.

On the question recurring,

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

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

Amend Sec. 2, page 26, line 26, by striking out "seven" and inserting: three and one-half

Amend Sec. 2, page 26, line 29, by striking out "seven" and inserting: three and one-half

Amend Sec. 2, page 26, line 30, by striking out "922,694,000" and inserting: 906,694,000

On the question,

Will the House agree to the amendments?

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

Mr. A. C. FOSTER. Mr. Speaker, my amendment deals with section 2, page 26, line 26, and basically this bill deals with the increase set forth for the Department of Welfare. Contained in the particular section that I am amending is a provision to increase the grants to welfare recipients by 7 percent. I am seeking to amend that to cut that increase to 3.5 percent.

I think the reason for doing this is quite apparent. We have received a message just recently from our constituents, from those state employees who are complain-

ing about the 3.5-percent increase. Believe me, in talking with many of these people in my own district and in other districts as well, I find their complaint is not so much directed against the amount of increase they are receiving, but the fact that the welfare recipients will be receiving twice as much.

So I think, in all good conscience today, we should do something to preserve funds in this budget and try to divert them to programs which put people to work. For this reason, I think it is entirely appropriate that we make this reduction. I am not seeking in any way to encumber these funds by an additional amendment. In fact, I supported the two previous amendments on the basis that this amendment would save some \$16 million. On this basis we were able to include amendments for PIDA and for site development.

I think that all of us have received the message from back home that something must be done to control the cost of welfare, and all of us must take a humane approach to this subject, but think just for a moment of a family of a working man, say a family of four, who is earning, perhaps, \$8,000 a year. What is his actual take-home pay? What is his actual disposable income in the course of the year?

It is just very slightly above the disposable income of a family of four on public assistance. No matter how we consider this fact, those in our society who work should do somewhat better than those who are not working. With this in mind, Mr. Speaker, I would urge the adoption of this amendment.

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

Mr. WOJDAK. Mr. Speaker, the assumption that the gentleman is making is that the percentage involved here is the important thing and not the base of living that these people live on. Now this 7-percent increase that is being given to all welfare recipients still leaves them about 18 percent below the Woodbury Standard for a decent living. That is a standard that is probably a decade old at this point.

By concentrating solely on the percentage—and I am not unaware and I do recognize problems of, for instance, state employes, but they really face these problems from a different base of living, a different standard of living—to cut the welfare recipients back to 3.5 percent, you are doing an injustice to them, leaving them without adequate funds for basic human needs. You cannot compare or analogize the welfare recipients to the state employes, because you are starting from different standards, and the percentage is really not the important thing here.

Mr. Speaker, I would urge this membership to vote in the negative on this amendment.

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

Mr. RICHARDSON. Mr. Speaker, I also rise in opposition to this amendment.

I would like to ask the gentleman, Mr. Foster, one question.

The SPEAKER. Will the gentleman, Mr. Foster, consent to interrogation?

Mr. A. C. FOSTER. I will, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RICHARDSON. Do you know what it means to be hungry, Mr. Speaker?

Mr. A. C. FOSTER. Yes, I suffer that very frequently in our sessions, Mr. Speaker.

Mr. RICHARDSON. Very good. Since that is the situation, I see that you would understand quite clearly that it would be in the best interests of this Commonwealth to vote "no" and try to move the increase.

We are not now just talking about welfare recipients, but we are talking about the blind and disabled and those persons on SSI. Thank you very much.

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

Mr. A. C. FOSTER. I responded perhaps facetiously to Mr. Richardson's question, but I would like to assure the gentleman and the members of the House that, indeed, I know what poverty is all about because I have been there. I came from a poor family and I know the problems people face on this income level. But I would like to relate to you just one incident which I encountered recently in my own district.

I received a question from a constituent as to why she should have to pay the 10-percent head tax imposed by our county. I went to her and explained to her that she could not be exonerated because her income was a couple hundred dollars above the standard for exoneration, and I found that her income, as an individual, was \$2,400 a year. That is the only means of support that this woman had. Her neighbor was in a similar condition. These people are not on public assistance. These are people who are living on social security income and that only.

So, truly, we have many people in our society who are suffering but nevertheless these people are getting by; they are living. We do not have it in our power to completely stamp out all of the suffering that exists in the world today.

So in response to that, I know what poverty is all about. But I also know that we have got to do something to control the cost of this, and I think each and every one of us realize that when we talk to the people in our district.

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

Mr. JOHNSON. Mr. Speaker, I would like to interrogate Mr. Foster a minute, please.

#### PARLIAMENTARY INQUIRY

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

Mr. BENNETT. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BENNETT. Will the Chair advise me if Mr. Foster's amendment could be divided? I am suggesting that a possibility of division might be at his second line, where he is cutting out the blind, the disabled and aged. Could that be separated from the other questions?

Mr. A. C. FOSTER. Is that directed to me or the Chair, Mr. Speaker?

The SPEAKER. The way the amendment is drawn it is not divisible simply because, while section 2, page 26, line 26, applies to one facet of the public assistance program and section 2, page 26, line 29, refers to another, the total sums on the question of division, which is set forth in section 2, page 26, line 30, would be affected. The way the amendment is drafted it cannot be divided.

Mr. BENNETT. I thank the Chair.

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

Mr. JOHNSON. I would like to ask a couple questions, if you do not mind.

Mr. Speaker, did you raise the amount of money from 3 percent to 14 percent for some counties?

Mr. A. C. FOSTER. I did not. I did not address myself to that problem in this amendment.

Mr. JOHNSON. This is not the same amendment here?

Mr. A. C. FOSTER. No. My amendment is a short one. I think you have the wrong amendment.

Mr. JOHNSON. I have the wrong amendment.

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

Mr. COWELL. Thank you, Mr. Speaker.

Will Mr. Foster submit to another question or two?

The SPEAKER. Will the gentleman from York, Mr. Foster, consent to interrogation?

Mr. A. C. FOSTER. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. COWELL. Thank you.

I address myself to the second section of the amendment, that which would deal with the senior citizens, the blind and the disabled. Mr. Speaker, is the author of the amendment aware of the current level of the SSI payments for the senior citizens, the blind and the disabled?

Mr. A. C. FOSTER. Roughly, Mr. Speaker.

Mr. COWELL. Can you give us an idea what that range is for single individuals and for, perhaps, a married couple?

Mr. A. C. FOSTER. Probably in the neighborhood of a couple thousand dollars for a single individual.

Mr. COWELL. Would you agree that it might be in the range of about \$170 or \$180 a month for single individuals?

Mr. A. C. FOSTER. That sounds like a ball-park figure, Mr. Speaker.

Mr. COWELL. And would the author of the amendment agree that the 7-percent increase that he has criticized really amounts to about a \$10-a-month increase for the senior citizens, the blind and the disabled?

Mr. A. C. FOSTER. Would you repeat the question? I could not hear it.

Mr. COWELL. Would you agree that the 7-percent increase, which you criticize and which you seek to change in the amendment, really amounts, when we talk in amounts of hard dollars, to about \$10 a month for the senior citizen, the blind and the disabled individual?

Mr. A. C. FOSTER. I think that is probably an accurate statement, Mr. Speaker.

Mr. COWELL. And then am I correct in understanding that you think that is an unreasonable increase, and that \$5 per month would be more in line with their needs?

Mr. A. C. FOSTER. I do not think \$10 per month would do them that much more good than \$5 per month. We are looking at the aggregate savings here of \$16 million in toto.

Mr. COWELL. Mr. Speaker, if I may make a brief remark then. Thank you for the answers.

I would simply urge the members of this House to reject this amendment if for no other reason than, I think, the provisions of the second paragraph of this amendment completely ignores a terribly pressing problem

that senior citizens, and particularly across this state, face.

Several months ago—I think it was back in February or March—we had quite a few representatives of senior citizen organizations across the state present petitions to the Governor in his office. I cannot recall exactly how many signatures were on those petitions, but I think it was somewhere around 15,000 to 20,000 signatures.

The basic point that they are trying to make is that even with the current level of SSI payment that they are now receiving, they cannot, living on these fixed incomes, these very limited incomes, afford the increased price of food. Particularly they find themselves very hard pressed with the increased cost of utilities. Many of our older people across the state find out that the utility bill alone has gone up \$15, \$20, \$30 a month.

Ten dollars a month is far from what they really need, but I think that we would be grossly unfair, grossly wrong, to say that that is too much, or even to say that, well, they will not be hurt too much more if we only cut it back an additional five bucks a month. I think they need that extra \$10 a month, and, for that reason alone, this amendment is deficient and we should, therefore, defeat it.

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

Mr. RAPPAPORT. Thank you, Mr. Speaker.

Mr. Speaker, I am really quite sorry that the welfare-rights people are not in Harrisburg today to hear this debate. I say that for this reason: They find it quite difficult to understand when some of us from the more urban areas try to explain to them that there really are people who are against welfare and they think that \$2,400 a year is enough for somebody to live on. I must confess that I join with them in that lack of understanding. I do not question the gentleman's sincerity; I question his information.

I received a call from a lady in my district, from the Society Hill part of my district, as a matter of fact, who is living on SSI and she has a part-time job 3 days a week. With the new regulations that came out of Washington, she is now ineligible for food stamps. I had to advise her that, in order to live, she must now quit her job and go on welfare. And that is the truth.

I would hope that the Administration in Washington will not cause that to happen more. But no one should be asked to live on \$2,400 a year if they have to maintain a decent place to live, buy food, a reasonable amount of clothing and other expenses. I think that is wrong. I am not talking about the people who are able to work and should be working. It is our duty, if we are to talk about that, to see that there are jobs available for them. I am talking about the unfortunates who cannot help themselves, and this lady that the gentleman spoke about, apparently, cannot.

We cannot cut this. A difference of \$5 or \$10 a month can be vital to someone who is in that income bracket. We gave them only 7 percent. It is not enough; I do not think it is enough; they do not think it is enough; but apparently they are more understanding than many other elements of our population. When I reviewed it with them, they understood what we were trying to do and accepted it.

Therefore, Mr. Speaker, I think it will be less than just

to cut this at a time when we are negotiating wage contracts with state employes for raises that they deserve, and we should, with some justice and mercy, not pass this amendment and keep it at the 7 percent.

Thank you.

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

Mr. DiCARLO. Yes, Mr. Speaker. I am somewhat confused. I can remember last week when the welfare rights people were here and I seem to remember the minority leader alluding to the fact of all the things that the Republican Party has done for people on public assistance, and I am completely stymied by seeing this amendment. But that is beside the fact.

The thing is, I have often heard things about, let us divide the amendment because, you know, perhaps we can look at our blind, our elderly and our disabled because they seem to be of special interest; you know, we should care for those people.

Well, I am concerned about that first half of the amendment, that aid to dependent children. You know, whether you realize it or not, under SSI the Federal Government is going to give the blind, the elderly and the disabled 8 percent in July. But those people who are on public assistance and general assistance, the ones you really want to cut, are the ones whom you are concerned about, and this makes no sense at all. You have, I think, 800,000 people in that group and a half million of them are kids, and I do not care how many jobs you create, how much money you give to PIDA and what you do, you cannot put kids to work. You have to feed kids and you have to provide an education so they can get off public assistance, and that is what we are not addressing ourselves to.

I think you really have to look at the problem. Sure, everybody is suffering in this economy. There is no doubt about it. The person who makes \$8,000 or \$10,000 a year and the legislators who sit down here with \$15,600 a year and this is their only job, we are all suffering, but the funny thing is, when the economy is good, when everybody is prosperous, those same people you are prostituting today, those very same people, will still be on public assistance and you have not done a damn thing for them.

Now you made your comment and you said that, well, \$5 a month, \$10 a month, what difference does it make? Well, let me tell you, if you are one person and you only get \$149 a month, or if you are four people and you only have \$300 a month to live on, that \$5 is the difference between a loaf of bread or a piece of meat during the week. And I think we have the obligation and we have the responsibility, if we cannot attack the full problem, we have some social dedication to at least alleviate some of the problems of poverty. That is our goal and we should do that. I urge the defeat of this amendment.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, I did not support the amendment, but I can fully realize what prompts people to offer and debate and consider seriously this kind of an amendment, and it is the very point which I think is missed by all of the speakers thus far who have defended the recipient who finds himself in need.

In each budget which I have been intimately involved with in the past 4 or 5 years, we have been—well, there is no sense mincing words—we have been lied to by the

administrators of our welfare programs. We have been lied to when we have initially received their budget forecasts, their requests. We have been lied to when they appear before us at public hearings. And the proof of that is that in each of those budgets, we have, usually with the acquiescence of the same administrators, been able to substantially reduce the amount of money which they have requested.

It is those kinds of actions which make people, both in this House and out of this House, suspicious of the entire welfare system in Pennsylvania, and it is that system which people seek to attack when they offer amendments such as this.

I think it is tantamount to the worst kind of cruelty perpetrated against the people who find themselves most dependent upon us, the welfare recipients, to continue to prostitute the administration of the system, and it has not mattered really who controls the seat of the government when it comes to the treatment of this particular program.

This year we are reducing, in effect, by about \$70 million that which was requested and, up until last week, that which all of us thought was going to be included in this year's budget. The majority has taken out \$65 million and has increased the increase suggested by the department by 1 percent, or another \$5 million. That is about \$70 million.

I do not want to take you through a series of figures which will further confuse the matter, but it appears to us that if you use the March 1975 figure as being the peak figure of welfare recipients in Pennsylvania—and it appears as though March, April and May have leveled at the same figure of 75,000 cases—that you will find in the \$504 million request in this budget an inflation of about \$20 million. In other words, this particular budget which we are told seeks to fund welfare at the March level—

#### PARLIAMENTARY INQUIRY

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

Mr. LINCOLN. I rise to a parliamentary inquiry, please.

The SPEAKER. The gentleman will state it.

Mr. LINCOLN. Is the minority leader speaking on the amendment?

Mr. BUTERA. Yes, I am.

Mr. LINCOLN. Mr. Speaker, would you make a ruling on that, please?

The SPEAKER. Will the minority leader yield?

The Chair indicated yesterday the course of action the Chair would like to follow in the debates on this very important matter: I want to extend the widest latitude possible. Perhaps the minority leader might not be speaking precisely on the amendments, but the conversation has to do with the entire matter. The Chair would hope that the gentleman would be patient and tolerant.

Mr. LINCOLN. Thank you, Mr. Speaker.

Mr. BUTERA. I appreciate the gentleman's patience and the Chair's. I am almost finished, but I am speaking right to the heart of the matter.

It is not within the confines of the language of the amendment, but it is this kind of thing which we have to debate in this House and measure up to at times when we are called upon to vote on an amendment such as this, because, unfortunately, after this is over, we will forget

about holding that department more accountable and thus eliminating these kinds of amendments in the future and, also then, giving reasonable increases together, rather than in some manner which is only shared by a few people, which is just basically wrong. I think it is cruel. I think the welfare rights people who were here last week expressed a frustration, which I can understand, because they cannot get a straight answer from anybody.

I think all this goes right to the heart of this amendment. I can understand why it is offered. I am not going to support it, but what I am trying to do is get enough people here—a lot more than last year when we gave you an opportunity to insert this legislature into that department and you rejected it, most of you who are going to reject this amendment today—to rethink the issue and go to the heart of it, which is that department. Once that department and the administration of that department would gain credibility, you will find almost unanimity in this House and among the public in treating people who are poor properly. But until that happens, you are going to have constant attacks against the very people who depend on us the most.

The SPEAKER. The Chair recognizes the gentleman from Indiana, Mr. Shane.

Mr. SHANE. Thank you, Mr. Speaker.

One of the minority leader's concluding remarks was that that department was not going to gain credibility until the legislature inserts itself. I would just like to remind the members that today, as we consider additional oversight language, I will be offering opportunities for the legislature to insert itself into the oversight function in the Department of Welfare in what, I would hope, would be a constructive way.

I hope, also, that the members realize that it really would not be rational or compassionate to take out our frustration with welfare bureaucrats on the people who are the recipients of welfare payments.

When I first came down here 4 or 5 years ago, it seemed to me that welfare was the biggest political football of all, and I now think colleges have replaced welfare as the number one target.

My feeling is that there has been some torturous gain in credibility through the SWEEP program and some others—the identification cards and direct delivery system. I agree we have miles and miles to go in terms of this credibility problem, and I hope your consideration of my oversight amendments this afternoon for the Department of Welfare will help us move towards that goal of greater credibility.

But there is just one thought I wanted to leave with you. Those persons in the legislature, who want to try to be humane and compassionate in our dealings with people and in our dealings with policy proposals, find that to be a very tough job. Daily there are aggravations and frustrations and temptations. But I leave one thought with you that seems to be bouncing around in my mind as I think about welfare people, welfare grants and welfare recipients, and it is this—and I try to bear it in mind often when I am dealing with problems like this—"In that you have done it to the least of these, My brethren, you have done it unto Me." And I think we always ought to keep a saying like that in mind as we attempt to deal with problems of compassion and problems with people who are less fortunate than we.

Thank you, Mr. Speaker.

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

Mr. VANN. Mr. Speaker, I want to compliment my colleagues in the House who are anti-welfare recipients. They have matured through the years. I remember some years ago when anti-welfare-recipient speeches were made and amendments such as this were given. They used to say that welfare recipients were lazy; they did not want to work; they did not want a job. But those colleagues who are anti-welfare recipients have matured now. They do not use that type of language. In fact, they have omitted it completely. I want to compliment them that they have changed tactics, but not their attitude towards welfare recipients.

This amendment is an anti-welfare-recipient attitude. It is interesting to note that the minority leader today sympathizes with the welfare recipients and places the blame on the welfare administrators. Now is that not interesting? And he says that we have been lied to. Well, whether we have been lied to or whether we have been told the truth, the fact still remains that this is an anti-welfare-recipient amendment. No subterfuge, no amount of subterfuge, can change the fact that it is. We cannot shift the blame to the welfare administrators, regardless of how the minority leader may try.

I simply want to say that we must begin to understand that it is our responsibility as legislators to continue to help those who cannot help themselves.

I am opposed to this amendment and I would ask that all of our colleagues vote it down.

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Kelly.

Mrs. KELLY. Mr. Speaker, I cannot remain in my seat and listen to this conversation. When I see this ridiculous amendment, I am wondering if Mr. Foster has ever taken the time, as a lawmaker, to travel to some of the cities where there are a number of people on public assistance.

I have visited some of the rural areas. I have visited Montgomery County and Delaware County and all these other counties, even up state where my husband came from, and I do not see too many people starving there as they are in my district.

I am going to speak about my individual district. I take the time to visit my people who are on public assistance. I take the time to see that they get assistance and I also take the time to see that those who do not need assistance are connected with work and jobs so we can save the Commonwealth some money.

Let me tell you something, Mr. Speaker, I invite you to my district and I will pay for your hotel and food and all expenses incurred for 1 week. I want to take you to some of my people who have no electricity, who have no food, children who are starving for whom we are collecting money from the neighbors to give them food on weekends. I, myself, have delivered 14 bags from the Acme Market in just a month to five or six families. These are families who have husbands who are ill; they are sick themselves; and they have children who are starving.

You say, what does \$5 or \$10 mean? It means electricity. You see people living with candlelight. Their electricity has been turned off.

I am sure that you, as a legislator, wish that you could

make more money. You would find every which way to make a little extra money.

How can you introduce an amendment of this type when there are people in this Commonwealth starving to death, senior citizens who are living on fixed incomes, who are living in houses that are a disgrace.

I ask every member of this House—and I am very upset; I certainly am, and I do not care who knows that I am upset—to defeat this terrible amendment.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I have come to this microphone with great reluctance during the debate on the budget because I have a particular job to do, and that is, to secure a balanced budget. I have been watching and listening.

But I have a 16-year-old daughter sitting on the floor of this House as a page today and I have tried to raise her following my concepts of humanity. And what I am going to say today I want her to hear because I have some hope of influencing her; I have no hope of influencing Mr. Foster.

I am going to try and be moderate in my approach. I feel about the way Mrs. Kelly feels. I am not amazed—and that is a confession of cynicism—I am not amazed at the amendment. I am not amazed at any degree of cruelty, of savagery, of attack on the weak and the defenseless which arises among Homo sapiens. We are the most contradictory of all God's creatures. We crawl like the snake when necessary and attack like the wolf against those who cannot fend off such an attack.

We deal with the concepts of the angels and we live with the devils of our world.

We are capable of incredible acts of injustice to other human beings and equally incredible sacrifices, therefore.

So anything that happens on the floor of this House, I want my daughter to recognize as reflective of what she is going to find for the rest of her life wherever she meets human beings. But I ask her to notice what sort of banner has been raised here today by this amendment, by the bloodless words of this amendment, which simply read, "Amend Section 2, page 26, line 26, by striking out 7 and inserting 3½." Those are bloodless words. Those are not words which will go thundering down through the history of mankind. They will not even be remembered by their author and no one else will remember them.

But I want her to know what the blood and flesh are which lie behind those words. I want her to know that this banner raised by this amendment says, in effect, join with me while I attack an 89-year-old woman living on social security and welfare old-age benefits in a high-rise-apartment building in the city of Pittsburgh, stumbling half-blind through that apartment, going without food 2 days a week. This is the banner which this amendment raises. It says, she is incapable of defending herself, therefore let us attack her. This says, in effect, if you follow it logically, which of course you should not in dealing with Homo sapiens, that the way for us to balance this budget is to strike out from it all the moneys which we are allocating to those people who cannot produce for themselves.

It is silly to talk about killing people just a little. You kill them totally, and that is what this banner has unfurled itself to say: The aged, the halt, the blind, those

incapable of fending for themselves, let us attack them; let us rid ourselves of them.

I want my daughter to watch very carefully the vote on the floor today, for, despite all the words that she will hear, this is what is being decided: Do we as a creature, as a society, consider that we owe an obligation to take care of our brothers and sisters, or do we destroy those who are least able to care for themselves? Your vote will answer that question, no matter which way you describe it.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. O'Connell.

Mr. O'CONNELL. Thank you, Mr. Speaker.

The majority leader is eloquent as usual and always has the ability to touch the deepest depths of any hearts in this House.

I just want to tell you, Mr. Majority Leader, you did not need to touch mine, because I intended to oppose the amendment in the first instance.

But I would like to ask Mr. Rappaport if he would submit to a brief interrogation.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Rappaport, consent to interrogation?

Mr. RAPPAPORT. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. O'CONNELL. Mr. Speaker, as I remember, you responded to a figure of \$2,400 and indicated that this was inadequate for any person in this Commonwealth to subsist on at this particular point in time. Is that correct?

Mr. RAPPAPORT. That is correct.

Mr. O'CONNELL. I would like to tell you that I have a number of people in my legislative district, which is a very affluent district, living and existing on substantially less than \$2,400 a year.

The reason for it is that they have been prudent all their lives, they have raised their families, and they now own their properties. Should they apply for any cash assistance, there is a lien placed against their property. This scares the hell out of them, because this takes the security from them that they have worked so hard for and really sacrificed to protect themselves in their old age.

My question to you, Mr. Speaker, is: Would you support—and I have introduced such legislation on many occasions—and would your colleagues support the abolition of the lien provision so the people in my particular area could get some assistance?

Mr. RAPPAPORT. Mr. Speaker, may I be recognized?

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

Mr. RAPPAPORT. Thank you, Mr. Speaker.

Mr. Speaker, I would inform the gentleman that I was one of the sponsors of a bill in the last session to do just that. I might add to that, that \$2,400 is not enough to live on. I would hope that those people in the gentleman's district who own their own homes and are subsisting on \$2,400 a year have, with his help, applied for senior citizen's real estate tax assistance, which is available to senior citizens of low income, to help them with their real estate taxes, a program of this administration, a program that I voted for. I would assume the gentleman voted for it also. I am not implying that he did not. I do not remember if he did or did not.

Mr. O'CONNELL. I did.

Mr. RAPPAPORT. I might say that this could be

characterized as welfare. I do not characterize it as such. I think it is a very good program for two reasons: It provides help to people who need it, who have worked all their lives; and it does not take away from local tax revenues, as some of the other bills I see coming down the pike which just provide exemptions without giving the money back to local governments, which, in the gentleman's district, I know need it desperately. I know of some of the local government problems that he has. I think all these programs taken together tend to raise a real income for elderly people.

I have that problem in parts of my district where people have worked all their lives and have managed to acquire small homes which are now paid off, and then the Highway Department, in one instance, and a redevelopment authority in another, comes through and condemns these houses and maybe gives them \$8,000 or \$10,000 for them. It is a nice house in a nice neighborhood, and there is no way they can go out and buy another house for that kind of money in any neighborhood in our city, an equivalent house in an equivalent neighborhood.

It is for that reason we amended the Eminent Domain Code to help these people.

Yes, I do sympathize with those people and I sympathize with the gentleman's problem. I do not think that anyone should be forced to live on a flat \$2,400 a year, and within the limits of a responsible budget, I will vote to help those people.

Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. O'Connell.

Mr. O'CONNELL. You went round and round, Mr. Speaker, and I agree. I did support those programs, and I have, generally, the guts to support the programs and vote for the taxes. But my question to you is not answered, and this does create a problem. I think it is time we address ourselves to that problem so that there is equality and so these people can be comfortable.

You alluded to the property-tax provision. That is fine. But also you killed a program that would have helped them last year, one that seriously affects people in my district, which would have given them relief in regard to sewage installations and sanitary treatment plants and facilities that they are being penalized on. We did appropriate the money, but it was cut out of this budget and that would have helped them.

The SPEAKER. Let us try to confine our conversation to the amendment.

Mr. O'CONNELL. Yes. Well, enough is enough, Mr. Speaker, and I am sick and tired of this.

I want to tell you something else while I am here. We have a pilot program in our area, USA, and that administrative cost has gone up substantially, a couple of million dollars, and not one red cent of it went to the people in that area who deserve it and for whom it was intended, and that is fraud.

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

Mr. ZELLER. Thank you, Mr. Speaker.

Mr. Speaker, we heard members ridicule rather than bring out the facts. They talked about savagery; they talked biblical talks; they talked about the angels and the devils and injustices to the point where it has become actually theatrical, to touch the hearts of all of us here.



What we did not hear though were the facts, and I mean the facts on what is really going on. I think the majority leader, whom I have tangled with several times, tried to bring that out to you. The real issue is the inadequate and careless operation of that department, and I mean careless.

The thing is that I believe I am probably as sympathetic to the problems of the people because of my background as anybody in here, but you know we do not get down to the real issue, and I saw that by the vote.

Mr. Speaker, I would like to have a little leniency in regard to that PIDA operation. The reason I say this is that it relates to the problem of unemployment and the problem of welfare. To give an example, the Federal Government says that 19 percent of your help has to be the unfortunate, if you are dealing with interstate work or anything with the government. You must have that help of the minority in your plant. You must educate them, train them, and so forth. What are these big industries doing?

We heard the bleeding hearts talk about PIDA money. I am in sympathy with getting jobs; I am in sympathy with our private industry; but this is what they are doing. I am involved with the Lehigh-Northampton County Joint Planning Commission with regard to industry coming into our area. They are coming to the Lehigh Valley. Why? They are going out of Philadelphia, Newark, Baltimore, and all these heavily concentrated minority areas. If they are such sympathetic people toward the welfare of the individuals in trouble, why are they leaving them and abandoning them and coming into the Lehigh Valley? Why? Because we have less than 1 percent of these people. We have the Dutchmen who work. That is what they say.

They can amortize their plant in 10 years because they do not have to train, they do not have to deal with the unions, they do not have to deal with this or that. The so-called bleeding hearts talk about the PIDA money, but—and the so-called theatrical operations of our majority leader a few minutes ago failed to tell you this—they fail to tell you what the real problem is—the cities are dying; they are going out; they are being deserted. Why? Because these so-called bleeding-heart industries are deserting the poor people.

Let us get down to the real nitty-gritty facts of what is going on. All we hear about are these bleeding hearts; they want to bring PIDA money into their areas. What you are doing is turning around and voting for welfare and at the same time you are giving the welfare recipients the shaft. There are no jobs. Who are you kidding? They are sending them out to the areas which are in better shape and killing the cities.

So when you start talking about the needs of the people, let us start giving the facts out here instead of a bunch of baloney and theatrical stuff. I am getting sick and tired hearing about it. And bringing the lovely young lady into the situation—if anything moved me in the other way, I tell you, it was that, Mr. Majority Leader, by bringing that kind of operation into it. Let us get down to the nitty-gritty and tell the people what really is going on.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, for the information of the

gentleman, Mr. Zeller, I do not really give a damn what moves him.

Mr. Speaker, for the information of my daughter, do not waste your time trying to influence the minds of certain people; spend your time with those who can be reasoned with.

I want to make one more statement in addition. I do not want the Republican members on the floor of this House to draw any inference that I consider this amendment a reflection of the Republican Party philosophy. I do not. I consider the amendment a reflection of just what I said—a streak of cruel savagery which runs through all of us, including Mr. Zeller and the majority leader.

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

Mr. A. C. FOSTER. Mr. Speaker, I yield to Mr. Dorr momentarily.

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

Mr. DORR. Mr. Speaker, would the majority leader consent to a question or two?

The SPEAKER. Will the majority leader consent to interrogation?

Mr. IRVIS. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. DORR. Mr. Speaker, the portion of the bill which is sought to be amended by this particular amendment appropriates some \$922,694,000 to the Department of Welfare to assist the kind of people that the majority leader mentioned in his remarks earlier, such as the blind lady who stumbled about her apartment.

Mr. Speaker, my question is: Does the majority leader feel that the \$922,694,000 is going to solve the problems of those people?

Mr. IRVIS. Obviously, no, Mr. Speaker.

Mr. DORR. Mr. Speaker, would the majority leader have any comment on how much he feels the appropriation ought to be in order to solve the problems of those people?

Mr. IRVIS. I am sorry, Mr. Speaker, the majority leader is not a statistician.

I reflect on this floor the information given to me by the statisticians, by the budget preparers. In my opinion, this budget is not large enough for this Commonwealth in many areas.

I state here to you, publicly and for the record, that if I were voting for a budget alone and if it were in my control, I would increase the budget in a number of areas and I would be prepared to pay the taxes for that increase.

I have only one vote and therefore I cannot pass a budget with that one vote. I cannot answer you definitively on how much more ought to be added. I suspect a great deal more ought to be added. I suspect we ought to at least be, in 1975, to 100 percent of the 1947 report. We are 18 percent below that even with the increase we propose here. No, I do not think it is enough.

Mr. DORR. Would the majority leader add his considerable influence to the support of an amendment, if one were offered, to increase this particular appropriation substantially?

Mr. IRVIS. Probably not, Mr. Speaker, because it is the position of the majority leader that we will pass a

bare-bones budget, which is going to hurt a great many people. It is going to hurt me and a number of my constituents, but we have to have a budget for this state.

I do not want to face payless paydays and stopgap appropriations and I am hoping that this House will pass a budget this week. I have, therefore, stated to my caucus, and I state here, that I am opposed to any increase in the parameters of this budget, unless those of us who vote for those increases are publicly prepared to vote for the taxes to support them.

I did, indeed, vote for some increases yesterday for Allegheny County. I state here for the public record that I will stand and support any increase in taxes requisite to meet those increases if eventually they are put into the budget.

Mr. DORR. Mr. Speaker, would I be correct in categorizing your remarks as follows: You would not support such a substantial increase in this appropriation because of fiscal reasons? In your judgment, we cannot fiscally stand it in this budget?

Mr. IRVIS. That would be substantially correct, yes.

Mr. DORR. Mr. Speaker, may I add some remarks?

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

Mr. DORR. Mr. Speaker, I would suggest, rather than the motives which the gentleman categorized the mover of the amendment and those supporting it as having in order to support this amendment, that the motives of that gentleman, as well as the rest of us who are supporting this amendment, are rather the same as the majority leader's for not wanting to increase this particular appropriation. I would suggest that we are all concerned about the fiscal situation in this Commonwealth. It is not because of some mean streak that runs through us that we want to do in the people who are subject to the welfare appropriation, but rather because we see the problem that the Commonwealth has fiscally and we want to be responsible in our particular approach to this budget and that we support this amendment.

Just one further point, Mr. Speaker: I think there is a lesson in what has been said and accomplished here this morning that ought to be pointed out as well as the one the majority leader was advertently trying to make, that is, there are ways and ways. The rules of this House indicate that no member should cast personal reflections on another member's motives. However, when one has been here long enough and has enough experience, one learns ways to do that without being called on the carpet by the Speaker or by other members of the House.

So I would suggest that to those who are listening, particularly the young people here, that in spite of the rules that are existent in any given society, including the House of Representatives, there are ways sometimes to get around those rules. I believe, Mr. Speaker, that personal reflections were cast upon the mover of this amendment and those who are supporting the amendment which were not called for under the rules of this House. Even though it was done adroitly, I think it should be pointed out that that was done this morning.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I repeat what I said before, and I deny that I attacked the mover of the amendment.

If, in attacking the mover of the amendment, I attacked all Homo sapiens, then, indeed, I did attack him. If you paid any attention to my words, I included every single one of you and I specifically named myself. Therefore, if I attacked him, I attacked me.

I did not say he was unique. If he were unique, I would not have been on my feet. It was the fact that I wanted my daughter and everybody else to recognize that what he does here today is not unique.

If the gentleman, Mr. Dorr, considers that I made a personal attack, I deny it here. I deny it to the maker of the amendment. No personal attack was meant. Those of you who know me, know full well that if I intend to make a personal attack, I will do it directly, here or any other place.

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

The gentleman yields to Mr. Westerberg.

The Chair recognizes the gentleman from McKean, Mr. Westerberg.

Mr. WESTERBERG. Mr. Speaker, I have heard this morning that if I vote against this amendment, I am voting against an 87-year-old woman who cannot defend herself; I am voting against blind people who cannot defend themselves. But there are other reasons that a person may vote against this bill. I may be voting against this bill because of a man in my small town who has been on public relief for over 20 years, has refused to take jobs, has quite a large family, and, in the afternoon when men are returning from work and stopping at a tavern to get a beer, they will find him in there ahead of them drinking at that tavern and denouncing them for their dumbness in that they are working for a living and deriding them because of this. He is there loafing all day and then stops at the beer joint to make fun of them because they are working. I may be voting against this amendment, but here, again, it is the system that allows this.

I may be voting against this amendment because of a man in my town who runs a sawmill. He came in to see me one day and said, "I cannot get a sawer right now to work." I said, "Do you have anyone in mind?" He said, "Sure. I had a good one, and he quit." I said, "Why did he quit?" He replied, "He would do better on welfare." I said, "Is he physically able to work?" He said, "He sure is; he is my brother-in-law and here is his name."

I may be voting for this amendment because of instances like this, feeling full well and very sorry for older people. I have had very personal experience with the caring for older people, and general experience, too.

If anybody wants to ask me if I was poor at any time, I can answer, yes, I was very poor. But at that time there were no statistics put out by the Federal Government saying at what level a person was poor. So, therefore, I did not know it and I was very happy, and by raising vegetables—

A man with a woodworking outfit came to me and said, I cannot get help. He said, I had two men quit this week. They said they could do better on welfare.

I have followed those cases. I have taken their names and addresses and turned them over to the welfare system, and I will tell you, it would just keep me working steadily all the time to try to follow those up, be-

cause I get told they are off welfare and then, pretty quick, I find they are back on there again.

So I want to say that if some of us maybe vote for this amendment, it is not because we hate old people, that we have no hearts, but we also are thinking of the taxpaying group and the working group who are keeping these people who could work and will not.

That is the situation in our area. It may be that I will vote for the amendment and still love old people.

Thank you, Mr. Speaker.

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

Mr. A. C. FOSTER. Mr. Speaker, I would like to dispel the idea that may have arisen today that I somehow lack compassion for old people or for the unfortunate. For those who may feel this way, those members of the House with whom I have never had much direct contact, hopefully, over the course of this session, I could dispel any such idea.

But I would have to say that once again I am well aware and I am intimately acquainted with the subject of poverty. Until I was 12 years of age, I believe, I had never lived in a house which had electricity. When I graduated from high school, I lived in a house that did not have running water. Until 1941 or 1942 my father worked for a dollar a day. I know the problems of the poor and I am not without compassion on the subject. I know it is not pleasant to be poor; I know it is difficult to live under these circumstances; but it can be done, and I know that it must be done if we are to preserve the type of society which will give the benefits that the unfortunate members of our society are now receiving.

Could I just reiterate that I am not talking about a decrease in existing benefits; I am talking about 3.5 percent increase, a 3.5-percent increase just down from a 7-percent increase, but an increase. We are trying to be compassionate and humane, but we must do this within a framework of financial solvency.

It was asked by Mrs. Kelly if I had any acquaintance with the problems of intercities. Let me say that for a great part of my early life I operated an egg route in Baltimore city and I had a number of families who were on public assistance. I can still vividly remember one day going into this one home in which there were about six children in the family, and the family was on public assistance. It was close to Halloween. I went into this home and I found every member, all the children, with full-dress Halloween outfits, which had to have cost \$5, \$6 or \$7 apiece. Mr. Speaker, I never in my life bought such an outfit. When I was growing up, we made such an outfit if we went to a school social or whatever.

So I am trying to dispel the idea that we are doing this out of any streak of cruelty. I am just asking you, how will you answer the question when you go back to your districts? How will I, Mr. Speaker, answer the lady living in Dallastown who makes the \$2,400 a year on social security?

You mentioned an 88-year-old woman who is living on social security, welfare, and some other income. My constituent is living on \$2,400 social security, period. No welfare, no public assistance, nothing in addition to that. How can I answer her when I say that we are unable to control the increase in this department? How

can I answer the man who is moonlighting, working two jobs, to sustain a level of income of maybe \$8,000, about \$5,000 of which might be disposable income after deductions? How will you answer those people in your community?

This amendment was not offered with any spirit of malice, and I completely disclaim any feeling of hostility toward those who are less fortunate in society than myself or than you. But please let us consider the financial impact that the ever-burgeoning Welfare Department will place upon our society. We cannot get to the point where one attempts to carry two on one's shoulders.

With this in mind, I will disclaim any further debate and simply ask any one of you who has heard the same complaints and has had the same questions raised by your constituents as I, for an affirmative vote on this amendment.

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

Mr. McCLATCHY. Mr. Speaker, what we do here today, how we vote here today, really has little to do with what we will finally vote on in the entire budget.

What we are doing here today is indicating what we would like to have, and I rise to support the amendment really out of frustration and out of hope, which are rather contradictory, I suppose; frustration in that since I have been here—and I am in my fourth term—we have attempted to reform the welfare system. A little has been done but not much. Year in and year out we hear the story, let us do welfare reform. Each year we introduce a package and little is done. I maintain, Mr. Speaker, that this is an indication that we would like some welfare reform, welfare reform that will not only help those who are on welfare, those who are deserving of welfare, to receive more money, but will remove those who do not belong on welfare from the welfare rolls.

I would suggest that if this amendment goes in, if it is included in the final budget, the moneys that would be realized from welfare reform this year could easily pay for any increase needed for our public assistance recipients.

I would also like to indicate that nothing we do here in this legislation would stop an executive order later on by the Governor from raising that public assistance recipient grant if money is available. And I maintain if we do the job here, right here in the hall of this House, it could be available.

Thank you, Mr. Speaker.

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

Mr. STAHL. Mr. Speaker, I would like to follow up what Mr. McClatchy said and what Mr. Dorr said. I am tired of halfway humanitarians in this House. As Mr. Dorr said, there are ways and there are ways. We have seen that people can take both sides of the issue at the same time.

The people who are against this amendment are those people who voted against welfare reform which could have given the amount of money that we need to bring the single people up to a decent standard. These are the same people who will not today—or will not within this year or next year or the year after that—provide the amount of money necessary to give single people the amount of money they need for a decent living. They will

not do it because they say we cannot afford it, but yet they say when we try to voice our objection to the system—and as Mr. McClatchy said—it does not really mean anything in the end what we do here today because the Governor can do what he wants to. What we are doing here today is telling this administration and telling this state that we are tired of it.

Now these halfway humanitarians, as I call them, do not be—

The SPEAKER. Will the gentleman yield?

PARLIAMENTARY INQUIRY

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

Mr. LINCOLN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LINCOLN. Mr. Speaker, are the gentleman's remarks on the amendment and are they in order?

The SPEAKER. At this point, the Chair having given the widest latitude possible on the discussion of this subject matter, and keeping in mind that there are a whole host of amendments yet to be processed by this House, and wanting to expedite the process here in the House, the Chair will have to insist that further discussion on this particular amendment will have to be confined to the amendment. The point of the gentleman, Mr. Lincoln, is well taken.

Mr. LINCOLN. Mr. Speaker, we are going to have a long day and I may be like a yo-yo on a string, but each and every time that a member from either side of the aisle gets away from the subject matter at hand, I intend to make a parliamentary inquiry.

The SPEAKER. The gentleman, Mr. Stahl, may proceed.

Mr. STAHL. I thank the Speaker and the gentleman.

The amendment that we are speaking of today may pass; it may fail. Those of you on both sides of the aisle who vote against this amendment, in the future should be willing to support welfare reform to give those people the money that they need or give them additional cash-grant assistance.

I shall be willing to support that reform and I shall vote for this amendment to voice my objection as to how this state is being run. And I am not fooled by the halfway humanitarians that I have heard here today. Thank you.

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

Mr. ROMANELLI. Mr. Speaker, just two short statements. One is directed to Mr. Westerberg. Mr. Speaker, I think your problem is not with the Welfare Department; your problem is with unorganized labor in your district. Maybe we should send some union organizers for your sawmill.

The second is, Mr. Speaker, I feel that this is, in my short tenure in this House, probably one of the most inhumane pieces of legislation I have ever seen offered.

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

The yeas and nays were required by Messrs. A. C. FOSTER and WOJDAK and were as follows:

YEAS—31

Anderson, J. H.	Gallen	McGinnis	Stahl
Bittle	Geesey	Mochlmann	Vroom
Cumberland	Hasay	Noye	Westerberg
Davies	Hayes, S. E.	Pitts	Whelan
Deverter	Klingaman	Seltzer	Wilt, R. W.
Dorr	Kusse	Sirianni	Wilt, W. W.
Fischer	McClatchy	Smith, L.	Zeller
Foster, A.	McCue	Spencer	

NAYS—160

Abraham	Gillette	Menhorn	Scheaffer
Arthurs	Gleason	Milanovich	Schmitt
Barber	Goodman	Miller, M. E.	Schweder
Bellomini	Green	Miller, M. E., Jr.	Scrica
Bennett	Greenfield	Milliron	Shane
Beren	Grieco	Miscevich	Shelhamer
Berlin	Gring	Morris	Shelton
Berson	Halverson	Mrkonic	Shuman
Blackwell	Hamilton, J. H.	Mullen	Shupnik
Bonetto	Hammock	Mullen, M. P.	Smith, E.
Bradley	Haskell	Musto	Stapleton
Brandt	Hayes, D. S.	Myers	Stout
Brunner	Hepford	Novak	Sullivan
Burns	Hill	O'Brien	Taddonio
Butera	Hopkins	O'Connell	Taylor
Cessar	Hutchinson, A.	O'Donnell	Tayoun
Cimini	Hutchinson, W.	O'Keefe	Toll
Cole	Irvis	Oliver	Trello
Cowell	Itkin	Pancoast	Turner
Crawford	Johnson, J.	Parker, H. S.	Ustynoski
Davis, D. M.	Kelly, A. P.	Perry	Valicenti
DeMedio	Kelly, J. B.	Petrarca	Vann
Dicarlo	Kernick	Pievsky	Wagner
DiDonato	Kistler	Polite	Walsh, T. P.
Dietz	Knepper	Pratt	Wansacz
Dombrowski	Kolter	Prendergast	Wargo
Doyle	Kowalshyn	Pyles	Weidner
Dreibelbis	LaMarca	Rappaport	Whittlesey
Eckensberger	Laughlin	Reed	Wilson
Englehart	Lederer	Renninger	Wojdak
Fee	Lehr	Renwick	Worrirow
Fisher	Letterman	Rhodes	Wright
Flaherty	Levi	Richardson	Yahner
Foster, W.	Lincoln	Rieger	Yohn
Fryer	Lynch	Ritter	Zearfoss
Gallagher	Manderino	Romanelli	Zord
Garzia	Manmiller	Ross	Zwikl
Geisler	McCall	Ruggiero	
George	McIntyre	Ryan	Fineman,
Giammarco	McLane	Saloom	Speaker
Gillespie	Mebus		

NOT VOTING—12

Caputo	Fawcett	Laudadio	Salvatore
Cohen	Gleeson	McGraw	Sweeney
Dininni	Katz	Perri	Thomas

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

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

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

- Amend Sec. 2, page 2, line 19, by striking out "\$1,945,000" and inserting: \$1,847,750
- Amend Sec. 2, page 3, line 10, by striking out "1,860,000" and inserting: 1,767,000
- Amend Sec. 2, page 4, line 1, by striking out "235,000" and inserting: 223,250
- Amend Sec. 2, page 4, line 27, by striking out "3,726,000" and inserting: 3,543,000
- Amend Sec. 2, page 7, line 9, by striking out "13,189,000" and inserting: 12,529,550
- Amend Sec. 2, page 9, line 3, by striking out "749,000" and inserting: 711,550
- Amend Sec. 2, page 9, line 21, by striking out "4,728,000" and inserting: 4,491,600
- Amend Sec. 2, page 11, line 20, by striking out "13,447,000" and inserting: 12,774,650
- Amend Sec. 2, page 17, line 15, by striking out "65,802,000" and inserting: 62,511,900

Amend Sec. 2, page 21, line 28, by striking out "4,685,000" and inserting: 4,450,750

Amend Sec. 2, page 22, line 5, by striking out "7,623,000" and inserting: 7,241,950

Amend Sec. 2, page 22, line 30, by striking out "10,031,000" and inserting: 9,529,450

Amend Sec. 2, page 23, line 10, by striking out "7,282,000" and inserting: 6,917,900"

Amend Sec. 2, page 23, line 22, by striking out "660,000" and inserting: 627,000

Amend Sec. 2, page 23, line 27, by striking out "7,759,000" and inserting: 7,371,050

Amend Sec. 2, page 24, line 13, by striking out "26,144,000" and inserting: 24,836,800

Amend Sec. 2, page 24, line 23, by striking out "20,029,000" and inserting: 19,027,550

Amend Sec. 2, page 28, line 5, by striking out "44,643,000" and inserting: 42,410,850

Amend Sec. 2, page 28, line 18, by striking out "1,916,000" and inserting: 1,820,200

Amend Sec. 2, page 29, line 5, by striking out "27,048,000" and inserting: 25,695,600"

Amend Sec. 2, page 29, line 12, by striking out "756,000" and inserting: 718,200"

Amend Sec. 2, page 29, line 17, by striking out "1,211,000" and inserting: 1,150,450

On the question,

Will the House agree to the amendments?

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

Mr. LINCOLN. Mr. Speaker, I would like to interrogate the Appropriations Committee chairman, Mr. Wojdak, please, in reference to this amendment.

The SPEAKER. Will the gentleman from Philadelphia, Mr. Wojdak, consent to interrogation?

Mr. WOJDAK. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. LINCOLN. Mr. Speaker—

The SPEAKER. Will the gentleman yield?

### JUDGE SAVITT WELCOMED

The SPEAKER. Will Judge Savitt get out of that seat and come up to the guest podium?

Judge Savitt, ladies and gentlemen.

The Chair recognizes the gentleman from Warren, Mr. Kusse. For what purpose does the gentleman rise?

Mr. KUSSE. Would Mr. Lincoln identify the amendment by line?

Mr. LINCOLN. Do you want each and every one of them, Mr. Kusse? It is considerable in length.

It begins with, "Amend Sec. 2, page 2, line 19 . . ." It is the Lincoln-DiCarlo amendment.

The SPEAKER. Will the gentleman from Fayette, Mr. Lincoln, proceed with the interrogation of the Appropriations Committee chairman?

Mr. LINCOLN. Mr. Speaker, do you oppose or are you in favor of this amendment?

Mr. WOJDAK. Mr. Speaker, I am opposed to this amendment.

Mr. LINCOLN. Mr. Speaker, the amendment attempts to decrease appropriations to certain agencies of the state government by approximately 5 percent. Could you tell me on what information you base your opposition to this amendment?

Mr. WOJDAK. Mr. Speaker, as I read the amendment, the cuts are being made in each department and agency in the general government operation.

When the Appropriations Committee looked at these various appropriations for operations of various departments, we followed certain criteria in making cuts that we made. In making any reduction, the criteria we followed were as follows: No employees would be laid off; no increments or benefits would be curtailed; the money for operations and contracts would be held as tightly as possible. We reviewed the accuracy of all the subsidy formulas within each department and we questioned the effectiveness of various programs. If a program was not working, we cut it substantially or in some cases cut it out completely.

What you are doing by these amendments is that you are making an arbitrary across-the-board cut. You are ignoring the details of many of the departments' budgets by just slashing across the board with this decrease. In doing that you are going to severely hamper the worthwhileness of some programs. For instance, what we have done in some cases, as in the Department of Environmental Resources, where an appropriation is included within the general government operation for gypsy moth and that had been a line item in prior years—and if you recall, just 2 months ago we had been requested by the secretary to change that line item to give him the flexibility to use it for purposes other than gypsy moth control—we have included that appropriation in the general government operation to give him the flexibility of using it not only for gypsy moth control but for oak-leaf roller and various other insects that affect some of our forests.

For instance, in the Department of Health, what is included in their general government operation are the programs for sickle-cell anemia and for various other new programs that we have begun. We cannot possibly know in advance what kind of money it would take to adequately care for these programs and adequately care for some of these needs. So what we have done is put them into general government operations to give the secretary the flexibility to meet the needs as they arise.

What you would be doing by taking an arbitrary across-the-board cut of 5 percent is, you would, in many instances, be severely limiting some of these programs. In certain cases you would limit it to the point of almost doing away with the program.

So I am fundamentally opposed to just an arbitrary cut across the board. We have looked at each department individually; we have used criteria to test these various departments. That is how we made our cuts. You cannot just blindly slash across the board with a 5-percent decrease.

Mr. LINCOLN. Thank you, Mr. Speaker.

Mr. Speaker, I believe that the members who truly feel that they have not been given enough information, not only on this budget but budgets in the past, would be wise to listen to the interrogation of Mr. Wojdak.

Mr. Speaker, on that same subject, do you feel that members such as myself have been adequately informed as to the reasons why you oppose this amendment?

Mr. WOJDAK. Well, the Appropriations Committee, the staff, is always available for any inquiries that you may have. I have attempted, through caucuses and various questions that have been asked of me or the staff, to give as much information as we have. We at no time hold back any kind of pertinent information. It is all available for any member to come in and look at it, look

through it, get the aid of the staff explanation for it. In fact, that has happened. We have had those requests from both sides of the aisle, and as recently as 2 days ago we went through this specific question that you are asking today about what would be wrong with an across-the-board 5-percent decrease.

I think we answered those questions to the members' satisfaction—or at least I hope we did—to avoid this type of amendment which is just a blind cut.

Mr. LINCOLN. Mr. Speaker, do you agree that information of this type should be made to the individual members far enough in advance so that they would not, out of ignorance, attempt to amend the general appropriation bill in this manner?

The SPEAKER. The Chair would pose a question to the gentleman, Mr. Lincoln, who insists on strict compliance with the rules: Is the gentleman talking on the amendment?

Mr. LINCOLN. Yes, sir.

The SPEAKER. The Chair does not think so.

Mr. LINCOLN. The information that I do not have from Mr. Wojdak, or from past Appropriations Committee chairmen, is the reason this amendment was offered, and I think it is important to answer some of the questions that are unanswered in this amendment by this type of interrogation.

The SPEAKER. The Chair does not intend to circumscribe the gentleman's right to interrogate, but the Chair is making a point with the gentleman.

The gentleman may proceed.

Mr. LINCOLN. It is a point that is not well taken by the gentleman.

The SPEAKER. I hope it is not lost, whether it is well taken or not.

Mr. LINCOLN. One last question, Mr. Speaker: Do you have any intentions, in future budgets, to attempt to make more information available to the members in reference to this type of amendment?

Mr. WOJDAK. Yes; I would always make information available to the membership.

I think what you are really asking is the time framework that we operated in for this current budget. The Governor's budget message is generally given in January. It was not presented until mid-March for this coming fiscal year. That really inhibited us timewise because subsequent to the presentation of the budget, we had to conduct extensive budget hearings and get ready for the deadline of June 30. So the staff and everyone has worked very hard; we have grinded everything out. And I agree with you that we have not had sufficient time to make some of the information available that you had requested, because we were working on a day-to-day basis just getting the information ourselves.

Generally there would be a lag period between the presentation of the Governor's budget and our completion of the budget hearings, during which time there could be time for you to make inquiries and sit down with the staff or any member of the committee and get the type of information you requested. I would agree with you that in this particular instance, in this particular year, we were operating within a very tight framework, and at times the information was not available because we did not have it ourselves.

#### AMENDMENT WITHDRAWN

Mr. LINCOLN. Thank you.

Mr. Speaker, on the basis that has been provided me through the interrogation of the Appropriations Committee chairman, I now withdraw the amendment.

The SPEAKER. The Chair thanks the gentleman.

Does the gentleman, Mr. Haskell, desire to be recognized?

Mr. HASKELL. He withdrew the amendments, Mr. Speaker?

The SPEAKER. The amendment has been withdrawn.

Mr. HASKELL. Thank you, Mr. Speaker.

#### HOUSE SCHEDULE

The SPEAKER. For the information of the membership of the House, we intend to run until 12:30. We will then break for lunch and return to the floor, where we will pick up again promptly at a quarter to 2.

On the question recurring,

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

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

Amend Sec. 2, page 22, line 15 by striking out "not"

Amend Sec. 2, page 22, line 18 by striking out "63,120,000" and inserting: 63,952,000

On the question,

Will the House agree to the amendments?

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

Mr. SHUPNIK. Mr. Speaker, this amendment also strikes out line 18, removing \$63,120,000 and inserting \$63,952,000, which means the difference of \$82,000, which was originally in the Governor's budget.

The amendment establishes a maximum security facility at Farview State Hospital. Basically, the Waymart facility would be a unit which would remove the small disruptive element from the state correctional institution.

I offer this amendment, Mr. Speaker, because it is a problem with which I am very much concerned and deeply interested. I sincerely believe that if we are going to have peace and order in our penal institutions, we must have a maximum security facility.

I have visited Chase and Graterford and other penal institutions, and I have had inmates tell me repeatedly that their biggest problem and main concern is the fear of the hard-core inmate.

Mr. Speaker, 90 to 95 percent of the inmate population recognize their errors, their mistakes, and they are serving a penalty, but why should they also have to live under the constant fear of being harmed or harassed in any manner whatsoever?

Furthermore, the influence of this hard-core inmate on the general population and especially on the new inmate has been devastating. I remember the majority leader speaking here one day stating to all of us that we all have to realize that the inmate population are human beings and we have to treat them accordingly. I believed in them then and I still believe in them and I have never deviated from that idea and from that thinking. But, Mr. Speaker, under the general conditions that prevail now, there is not anything being done to change the

attitude of that hard-core element, and, as a result, they are becoming more embittered. It is my feeling that there should be an institution where a specially trained staff would work with these inmates on an individual basis in an attempt to reach them where other existing programs have failed.

I can relate just two instances, Mr. Speaker, that I am well acquainted with within our correctional institutions. In one of them, four or five inmates were gathered together and they pointed out one, you, as an individual, you are here for a couple hundred years, you go out and make this contact; what does another hundred years mean? And it happened.

There was another incident right in Shays Institution several months ago where an inmate took a baseball bat, hit one of the correctional officers right across the forehead. There he laid bleeding profusely, in shock; for seven or eight days they did not know if he were to live or to die. The only thing that saved him was that five or six inmates in that institution took off their coats and jackets in midwinter, put them over that correctional officer to save him from shock and to stop the bleeding. Today, he has lost the sight of one eye and I think he is still in the hospital. But I just wanted to bring those two points out to you, Mr. Speaker, to show that there is a difference between inmates, and I think we should treat them accordingly. I do not think we have to go back to the day of the ball and chain. But if we are to help them, if we are to help that 95 percent, we also should try, in some way or another, to help the other 5 percent. I wish all of you would give me an affirmative vote on this amendment.

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

Mr. WOJDAK. Mr. Speaker, Mr. Shupnik is correct. This amount was cut out of the budget, the Governor's budget request, by the Appropriations Committee. I have no hard feelings on this item one way or the other. My reasons and the committee's reasons for cutting it out of the budget were this: I had received and members have received voluminous mail against the construction on the Waymart facility. In addition, there were numerous members from both caucuses who came to me who were opposed to the Waymart facility. In addition, it takes a piece of legislation for its construction. The Governor has not introduced that, nor am I aware of any piece of legislation that has been introduced to accomplish that. For those reasons I have cut it out of the budget and that is the present status of it.

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

Mr. SHUPNIK. Mr. Speaker, it is my understanding that the facilities at Waymart, you must remember, is an institution under the Department of Welfare for the criminally insane. It takes very little to transfer that into a maximum facility; in fact, it is my understanding now that it is just about completed.

What this is actually doing is putting money in there for the operation and maintenance of that facility. As far as people objecting, there is always going to be people who object to any institution. If you ask for a road, a highway, a mental institution, or you ask for a state park or halfway house, people all want them but they always want them in somebody else's backyard. It is

there and there is no reason this cannot be done. In fact, there was a committee set up and they are the ones who pick the institutions.

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

Mr. HAMMOCK. Mr. Speaker, the Subcommittee on Corrections is a subcommittee of the Judiciary Committee and has been investigating the proposed opening of the facility known as Waymart, which is to be located at Farview State Hospital, which is for the criminally insane and which was established by this legislature.

We have been investigating the proposal and we have had several days of hearings. We have had the Attorney General, Mr. Kane, come to testify. We have had the Secretary of Welfare, Mr. Beal, come to testify. We have had the project director, Mr. Capote, and several members of his staff come to testify about the proposed opening of this facility known as Waymart.

Let me explain to you, if I can have your attention for a few moments, what this concept is all about. Now Mr. Shupnik said—and I agree—that there are problems at our penal institutions and some of these problems are caused by some hard-core people. The question I think that has to be determined is, what constitutes hard-core?

We asked this question of those who testified: How is the program to be implemented? Who is to be chosen to go to Waymart? Secondly, we wanted to find out how many people are supposed to be sent to Waymart. On the question of how many people, originally it was proposed that 25 people, at a cost of \$1.3 million, would be sent to Waymart to establish the facility known as Waymart; 25 people originally under the original proposal.

The second day of hearings that we had, the number went to between 45 and 50 who are supposed to be sent to Farview. Later that day it was suggested to us that the accurate number was about 200 people to be sent finally to Waymart. However, the Attorney General, who testified first, said that Waymart would be only established for a 3-year period at a cost of \$1.3 million; for 3 years.

Mr. Shupnik is proposing that we give almost a million dollars to complete or open a facility for a period of 3 years, after which time nobody has told us what is going to happen.

I think we are faced with several serious issues here. I agree with Mr. Shupnik and others that we have got to do something to reduce violence at our penal institutions in this state. We need to bring violence under control. But we had some expert testimony at these hearings and we have been conducting a very thorough investigation. We have had some national experts come in and national experts have said, because you take 25 guys out of institutions around this state it does not mean that you are going to reduce violence in prisons, because 25 more will come to take their place at a cost of \$1.3 million.

Now I would like to tell you a little bit about the national experience with programs such as Waymart. We had testimony, and I asked the project director, what are you going to do with these 25 guys? Is it going to be a lock-them-up-and-throw-away-the-key proposition? He said, no, no, of course not. I said, well, what is the program proposal to rehabilitate them or to change their behavior pattern? He said, well, everyday they are going to be checked every 15 minutes by the guards and they will be logged as to what they are doing. Every 15 min-

utes for 24 hours a day, three guards will watch one inmate; three guards will be assigned to watch one inmate. I said, well, how does that change their behavior if these are 25 tough guys in the state? He said, well, we are going to ask them every 15 minutes or every half hour, do you want to change your behavior? Do you want to become something different? In some language, that is called behavioral modification.

But let me tell you what really happened at an institution in California that we have investigated, in Chicago, Illinois, that we have investigated, and in other places across the state. They use drugs. There is a drug called thiorazine and there is another drug called anec-tine which simulate death. They put persons in a state which makes them almost appear as if they were dead, and then they bring them back to life, or they use electric shock treatments and then they use the drugs. That is called behavioral modification, as it is practiced across this country. I suspect that is what is going to happen at Way-mart, and I suspect that Waymart, established at Far-view for the criminally insane, is nothing more than some kind of proposition to establish some "Clockwork Orange" in this state.

Let us look at Farview. Farview currently is under investigation by the Attorney General and they have completed their investigation. Farview has been investi-gated by the Department of Welfare and they have com-pleted their investigation. Farview is also under investi-gation by a coroner's inquest in that county because of several alleged unexplainable deaths that have occurred out at Farview State Hospital. I can tell you that the coroner's inquest is going to show foul play, and that is already a matter of documentation.

Mr. Speaker, I wanted to bring some of those facts out. There is a lot more I can say. We are trying in our committee to take a hard look at the direction that Pennsylvania is going in with regard to rehabilitating the so-called tough guys. I certainly understand and sympathize very much with the plight of any guard or any correctional officer who has to be concerned with his life. I have been to these institutions. Our com-mittee is moving around the state, and we have a sense of a feel of the problems that they are faced with and we also know why this proposition is coming forth at this time.

I would just like to have your indulgence for several more minutes if I can. Mr. Speaker, I just want to say to you that I think it is time for us in this state to really take a hard look at what we are going to do with our penal institutions. Now there is no question about it, the BAU's, known as behavioral adjustment units, are not working. They are not working because they are understaffed and underfinanced. And I would rather take \$1.3 million and send it out to my good friend over there who has been trying to get some money out at Rockview and send some money out to Western Peni-tentiary to do something out there and to do something in Huntingdon and to do something at Graterford, but for this legislature to give away \$1 million to establish a maximum security facility for a period of 3 years, with no program content, I think is fiscally irresponsible. I urge you to defeat this amendment.

Thank you.

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

I have been doing a lot of investigating on my own at Rockview, and it is my opinion and the opinion of the warden at Rockview, the superintendent, that if the money that is intended to be used for Farview was put into our other institutions and left to be used for the repairs and the needed additional guards at these facili-ties, that things could be handled there at a much cheaper rate.

I would like to interrogate someone who might know the answer on how much it is going to cost on each per-son, each resident, that we are supposed to put into Farview. Does anyone know that answer?

Mr. HAMMOCK. It has been suggested by the At-torney General's office and others, and the committee had an accountant to go over what the fiscal breakdown would be and that is why I sent a letter to Mr. Wojdak.

Mr. Speaker, the cost per individual is going to be some-where between \$55,000 and \$60,000 per person.

Thank you.

Mr. LETTERMAN. As you can see, I think that this is absolutely ridiculous, and we have been trying to get this kind of money just to put additional guards at Rock-view or Waymart, or any one of our institutions. They can handle these people and do the job if we give them that kind of help.

We have, right now, at Rockview 899 residents. This is an increase since October of 1974 of approximately 573 residents, and not one additional guard has been added. All we do is continue to take everything away from these guards so that they can protect themselves; we do not give them enough help so they can watch the people. At Rockview, one guard is watching 40 residents out in a field working, and it is an absolute impossibility for these people to do a job.

I would certainly oppose this piece of legislation and hope that we just continue to fund our penal institutions in a proper manner so that a good job can be done. Then we will not need a place like this.

Thank you.

The SPEAKER. For the guidance of the members of the House, the Chair would inform the membership that there are approximately somewhere in the neighborhood of 60 amendments yet to be debated. If you were to calcu-late that each amendment would take 15 minutes, there are 15 hours of debate. I would hope that the membership would keep those figures in mind in governing the amount of time that they want to contribute on the floor to the debate of these amendments.

The Chair recognizes the gentleman from Philadel-phia, Mr. Richardson.

Mr. RICHARDSON. Mr. Speaker, I rise to oppose this amendment. I would also like to say that I am a mem-ber of the Subcommittee on Corrections and Rehabilita-tion which is headed up by Representative Hammock and that I also sat in those hearings that we had some-time last month. It would just seem to me that for the sake of the members they should know that when we are dealing with Waymart, we should have all the facts. All the facts have not been outlined with this proposal of \$832 thousand.

It would seem to me that we would see that there are these behavioral adjustment units in each institution; some people would call them the hole; and what happens is that they are locked up on a 24-hour basis. Being



locked up, you will note that these facilities sometimes require a person to not get any food for long periods of time and to go without water. I have received several letters of the inhumane treatments that go on there. The reason given by the wardens of each one of these institutions is that they have a lack of staff and sometimes they are not able to allow these gentlemen to at least come out even for some exercise.

It would seem to me with that cruel and unusual punishment that talking about the Waymart facility does not answer the whole question of the kinds of rehabilitation that we need across this entire state. I see this as being a concentration camp, one that is being set up now and designed now to have a lot of beautiful words, but really not have any program. If we looked at all these institutions, it would seem to me that there should be some money allocated for programs. All the moneys that have been allocated in this particular program are going towards the inmates and are going to be spent on psychiatric help and will be spent on the three guards, as stated by Representative Hammock. But the underlying thing that we should note is that all of this money is going towards administration and none of it is going towards the program. If we are talking about trying to get something that is going to deal with changing the whole question of rehabilitation in the state, it would seem to me that we would start taking some outlook on what is really happening to individuals who are being incarcerated. We are not giving service to them, and by not giving service to them, it would seem to me that we have to, as legislators, certainly open up our own minds as to how it is going to be beneficial in the long run, in the long-range projection.

And I am saying to you today that we have a responsibility again as legislators to make sure that such money is not appropriated without reason, without thought. Just to blindly appropriate money to the Waymart facility, with no program, is certainly beyond me.

I would like to ask, Mr. Speaker, to interrogate the gentleman who offered this amendment, Mr. Shupnik.

The SPEAKER. Will the gentleman, Mr. Shupnik, consent to interrogation?

Mr. SHUPNIK. I will, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. RICHARDSON. Mr. Speaker, I would just like to ask you a question: In your visit throughout the state to these penal institutions, have you been able to look at or observe the BAU's in these institutions?

Mr. SHUPNIK. I am sorry, observe what?

Mr. RICHARDSON. The BAU's, the behavioral adjustment units.

Mr. SHUPNIK. Yes, some of them.

Mr. RICHARDSON. And what is your feeling of those already existing BAU's that exist presently?

Mr. SHUPNIK. Mr. Speaker, in any organization or in any classroom, when you have a certain number there that we are taking care of and trying to treat, there are always a few who will give you constant trouble. As a result, either you take care of the majority of those people and you eliminate the other two or three, or you try to take care of two or three and you eliminate the others.

I talked to Mr. Hammock and I told him that I feel the same way he does; I believe they should be treated. I am not saying they should go on a ball and chain, but we cannot go under the conditions that we have now.

Mr. RICHARDSON. Mr. Speaker, I still ask the question: In your observing of these BAU's, what did you see? What would make you say that a Waymart facility would be the answer to the BAU's that already exist?

Mr. SHUPNIK. Very simply, Mr. Speaker, what we are trying to do is get the hard-core away in one area where they will have individual treatment, which they are not receiving now. Maybe you can salvage them; maybe you cannot. That I cannot argue, but at least try.

Mr. RICHARDSON. Mr. Speaker, I raise that question because the only problem I have with that is that no one at those hearings was able to tell me what determines behavior, what determines the bad behavior that will cause an individual to be moved out of those institutions. If you could tell me what you constitute as being bad behavior which would cause an individual to be placed at Waymart, then maybe I could feel satisfied, but no one has as yet. All the experts who have come before our committee have not yet defined who and what persons will be going into these institutions. I am asking you, Mr. Speaker, do you know?

Mr. SHUPNIK. May I answer you and Mr. Hammock at the same time? He asked, how would you determine how these people would be admitted? Now there are three ways they are going to be determined: Number one, a documented pattern of physical assaultive behavior, which poses a continuous threat to the lives and the safety of other inmates and staff. Two, documented attempts that have been made within the institution to change the inmates behavior to existing programs, all of which have failed. And, three, ineligibility for commitment under the Mental Health Act of 1966, as determined by a psychiatrist. That is how they would determine their admittance.

Mr. RICHARDSON. Mr. Speaker, is that one of your own analysis or is that some report by the bureau?

Mr. SHUPNIK. Well, I am not an expert and I do not think there is anyone here who is an expert.

Mr. RICHARDSON. That is my point exactly. My point is that the fact of the matter is, as to those who have claimed to be experts in the field, who say that they are doctors and psychiatrists, and who say that these individuals need to be placed there, I raise the question as to really what makes them say that those individuals are the ones who need to go there. Because what would happen is that you would find someone who is antagonistic, who does not like someone, and then because of the way a person might act out, which is the terminology used, he would say that this person should be referred to go to this maximum security unit, and there is no redress. There is no way that the person will have a defense in order to combat that. I am saying, Mr. Speaker, that that should be a very important clue, that people should not just be sent to a maximum security unit at Waymart just because they have behaved in three ways that have been outlined by you, where there has been no kind of counterattack or situation that can be set up whereby a person can defend himself. What if a person punches a guard in the mouth? Does that constitute a person going to a Waymart facility?

Mr. SHUPNIK. I am sorry, Mr. Speaker, but there is difficulty understanding the gentleman.

Mr. RICHARDSON. Right. I just raised another question. I was saying that since there is no way, you know, that an individual can really be determined whether or not he is acting out but because the psychiatrist and a

couple others have made a suggestion that he should go there, are you saying to me that if a person described under the definition of acting out punches a guard in the mouth, that would constitute his going to Waymart?

Mr. SHUPNIK. I think, Mr. Speaker, if there is a continuous behavior of using a baseball bat, a knife, a continuous pattern of behavior, yes, I would say so.

Mr. RICHARDSON. Okay. Well, then, if that be the situation, it would seem to me that the kind of treatment and rehabilitation that must take place is one that deals with those inmates particularly there since they already have a BAU. And since they are understaffed, Mr. Speaker, I would suggest that our responsibility as legislators is to make sure that these existing facilities and these already set-up institutions that have been designed by this Commonwealth are looked into. It would seem to me that our investigation should take place there.

The fact of the matter is that there is so much money going to be spent on what they told us at one time was 25; then you heard Mr. Hammock say 50; and then one guard told us that they are talking about 100 or more individuals who are going to be placed in this maximum security facility at Waymart, and I would just raise the question: Do you know, specifically, how many are going to be placed at this maximum security unit of the institutions across the state? Do you know?

Mr. SHUPNIK. They are speaking, Mr. Speaker, of starting off with 25, maybe more, give or take a few.

Mr. Speaker, may I say this: This was a task force that was appointed, and it consisted of six people who went out and picked Waymart—and I do not care where it is—and that task force also worked with the Governor's Justice Commission, the American Correctional Association, the Federal Bureau of Prisons, the Council of State Government, the Pennsylvania Department of Public Health, the Governor's office through his special assistants for criminal justice, and the American Federation of State Employees. This is not something that was just cooked up out of the air and put into being.

Mr. RICHARDSON. Well, Mr. Speaker, on that point, since you raised it, it would seem to me that those individuals whom you talked about were not on the task force but those were individuals who were asked some questions and they gave some opinions. Do you know who actually sat on that task force? Do you know?

Mr. SHUPNIK. I would like to say one thing. I have not been on your task force; I do not know who was on your task force.

Mr. RICHARDSON. That is my point.

Mr. SHUPNIK. But I would like to say this, Mr. Speaker.

The SPEAKER. Will the gentleman, after he propounds the question, please let the gentleman respond to it.

The Chair recognizes the gentleman, Mr. Shupnik.

Mr. SHUPNIK. Mr. Speaker, when he asks me who is on, I do not know, but I do know this: Ten, twelve years ago, I headed a task force; I went into these penal institutions. We went around—and many others, a few of whom are still here—we went out and heard many of the problems that were happening at that institution.

Now I heard one gentleman say they do not have enough help. Certainly they do not have enough help. All you would have to do is go in and look at the over-

time pay of all these correction officers. But that is not solving the problem. We are never going to solve a problem if we just put our head in the sand and leave it there.

Mr. RICHARDSON. My point exactly. That is not going to solve the problem and neither is a concentration camp like Waymart. The thing is that it would seem to me that we need to pull together some of those individuals in this particular Commonwealth who have some knowledge—such as laymen, people from the streets, people who live in this environment every day, people who see the kinds of conditions that people come out of—and then we will have an opportunity to deal. But as long as you have individuals who sit down and theorize in intellectual lives and do not understand the whole problem, you will have situations arising out of what we have now.

I would thank the House members for their indulgence for they have listened so very patiently, and I ask that you would give us a “no” vote on this amendment and vote it down.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. O'Connell.

Mr. O'CONNELL. Mr. Speaker. I just rise in support of the amendment. I concur wholeheartedly with Mr. Shupnik. I did for a long time represent that particular district. I have been there and visited it on many occasions. I have been in constant contact with the officers. And I believe, too, that if you go back into the record, there was a commitment that this institution would be developed, funded and actually put into operation. I would ask anyone who can possibly support it to do so.

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

Mr. HAMMOCK. Mr. Speaker, I just wanted to propound one short interrogatory to Mr. O'Connell. I heard him say that for a short period of time he represented that district. I wanted to know whether he has taken any kind of survey or poll or talked to many people over the last year or so about that facility, or whether or not the people in that district are in favor of that facility?

Mr. O'CONNELL. Mr. Speaker, yes; I am in constant contact with them. I have had a number of meetings. There was a time when the population there was totally and completely concerned about it. I think that they were about ready to burn it. Because of certain circumstances that have taken place recently, they again became alarmed, and because of the incident whereby the guard that Mr. Shupnik referred to was critically injured.

I have defended the institution to this degree: I wholeheartedly and completely, support the rehabilitative process, but I believe the kinds of people who are disturbing the entire institution ought to be taken out of there and I think those then who remain would stand a better chance of being rehabilitated.

Mr. HAMMOCK. I am sorry, Mr. Speaker, I do not think you heard my question. My question was: Do you or did you at any time represent the people of the district where Farview State Hospital is located? That is what I thought I heard you say.

Mr. O'CONNELL. I am sorry. No; I did not represent that district.

Mr. HAMMOCK. You did not. Do you know whether or not the people of that district where Farview is lo-

cated, where Waymart is to be established, are in favor of or in opposition to the establishment? Do you know?

Mr. O'CONNELL. I would suggest that if it is following a pattern that I have been familiar with, they would probably be opposed to it.

Mr. HAMMOCK. I would say you are absolutely right. There are members on this floor who represent people from that district, and they are here to tell you, and there are other people here in the hall of the House who can tell you, that the people who live in that area are overwhelmingly opposed to this operation.

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

Mr. FISHER. Thank you, Mr. Speaker. I will try to be brief in my comments on the amendment before the House at the present time. I rise in opposition to the amendment offered by Mr. Shupnik to put into the general appropriation budget the appropriation of \$832,000 to complete the construction and the first-year staffing of the Waymart institution.

I rise in opposition to this amendment, after hearing for a day here in Harrisburg the testimony of the Attorney General, the testimony of the Secretary of Welfare, the testimony of the head of the Bureau of Correction, and various other members in the Bureau of Correction, including the proposed project director of the new Waymart facility.

The concept of Waymart and the Waymart facility as a maximum security institution for the so-called incorrigible inmates arose approximately 2 years ago as a result of a very unfortunate death in Western Penitentiary involving the killing of a prison guard.

No one feels worse about that death than I do. I was involved in the investigation of that case. I know the background of that case and how the death came about.

At the time of that killing, the Governor was asked by the members of Local 2500 of the American Federation of State and County Municipal Employees, the prison guards, what he was going to do to try to improve the security in the prisons, not only for the prison guards but for the fellow inmates. Certainly something had to be done. The hole had just recently been closed. The BAU was open where this incident took place, but it was understaffed. There were no programs. There were very few prison guards assigned to it. In fact, the incident would not have happened had it not been for the fact that Captain Peterson was the only one on duty there at the time and no one else could get down to render assistance.

The Governor at that time made a promise to the prison guards that he would establish some sort of maximum security institution. This is the basis for this request. In the Governor's proposed budget, this institution was included therein. The Appropriations Committee saw fit to delete this appropriation when they prepared House bill No. 1336.

I believe, Mr. Speaker, at this time when we are standing here debating the question of taxes, the question of a balanced budget, the question of fiscal responsibility, that to open an institution at Waymart for 25 inmates, 50 inmates—there was one witness who testified on the same day as the Attorney General testified that there would only be 25—and perhaps 200 would be housed here, I submit to the members of the House that this is fiscal irresponsibility.

The project director at Waymart testified before that subcommittee. I asked him: Mr. Early, what percentage of the programs which will be envisioned at Waymart could presently be instituted in the existing behavioral adjustment units in the three maximum security institutions? His answer was, 75 percent.

I asked: Mr. Early, of the remaining 25 percent of those improvements that could not be implemented at the existing behavioral adjustment units, why could there not be implemented? He said, because they are physical improvements; they involve bricks and mortar.

I submit to the members of the House and to my colleagues from Allegheny County that we are talking here of an appropriation of \$832,000. The Attorney General estimated in his testimony that for this 3-year project—and this is all it will be for but, by the way, the people who are earmarked for this project are going to be in our correctional institutions for far more than 3 years—we are going to be asked to spend \$832,000 this year and approximately \$2,600,000 in the next 2 years.

I say to my colleagues in the House, to my colleagues particularly from Allegheny County, we stood here yesterday and we asked this legislature to give us some more money for programs that we cannot support without the money in our county. I submit that if the Bureau of Correction, under its present appropriation and without regard to this \$832,000, had approximately \$250,000 for improvements and additional staff at this one institution in our county—Western Penitentiary—we could have a behavioral adjustment unit in that institution. And I am sure the behavioral adjustment units in the other institutions around the state could be equally upgraded and could present the security not only to the guards but to the other inmates.

I urge all the members of the House to vote in the negative on this amendment.

Thank you.

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

Mr. ZELLER. Mr. Speaker, in 1969 I was a member of the Governor's Justice Commission. At that time the Planning Council handled LEA funds. It was called the Crime Commission at that time. We investigated the Philadelphia juvenile killings.

Our committee was involved in 1972, under the leadership of Mr. Eckensberger, in investigating prisons in the State of Pennsylvania. We had an investigation at Muncy, and also Mr. Sam Hayes and I were out to Huntingdon on a disturbance in October of that year.

Also, as a member of the Rehabilitation and Correction Committee of the Governor's Justice Commission of the northeast region—and I want to get these points out because possibly it may be called to my attention what kind of experience I have. I have the experience except that I have not been an inmate—the problem we found—and this one may jar you a little bit—is this: In the Bureau of Correction we have a group of people who are setting up these so-called psychological staffs. They are in the position to tell you anything they want you to know. They create jobs for all these so-called curricula in these various colleges to give them a job when they get out. So they are setting up all kinds of score tactics for you that we have got to set up these so-called country clubs and we have got to take care of these people that Chief of Police Davis of Los Angeles

brought out in an article—I distributed it here a couple of weeks ago to everyone—about these so-called paranoids. You are never going to rehabilitate some of these people, and that is what Mr. Shupnik is talking about. You have to get these people in an area of security to keep them away from individuals whom you can rehabilitate.

I am not against BAUs. There are areas where they are needed. But these same individuals are talking about this so-called little individual we are going to coddle. It happened down in Holmesburg not too long ago where an inmate shot the arm off another inmate and waved it in the air and said, I want to get reparation. That is okay, because we are going to try to rehabilitate this individual.

Mr. Hayes can tell you that when we were out at Huntingdon we had hearings there in regard to the correction officers who were going to go on strike because of what happened at Western Penn. Some 15 prisoners raped this guard and this guard is in the position that we are told he will never go to the bathroom normally again; he is going to wear a bag on his side. But these individuals who did that are nice little people; we are going to rehabilitate those guys and let them right in there with all the other individuals and not separate them. This is the kind of thing we are hearing from these so-called bleeding hearts.

I have citizens in my area who happen to get a ticket for speeding violation and they are going to be given 30 days—

POINT OF ORDER

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

Mr. VALICENTI. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. VALICENTI. Mr. Speaker, I know you give all the speakers a lot of latitude, but I think this is ridiculous. This guy is taking too long on this amendment. Let us run the darn thing.

The SPEAKER. The point is well taken. The gentleman will confine himself strictly to the amendments before the House.

Mr. ZELLER. And I would like to see that done to the other people, too, because of the fact that you gave them an awful lot of latitude, the opposition—

The SPEAKER. The gentleman will confine himself to the amendments before the House, without further comment.

Mr. ZELLER. Thank you, Mr. Fineman.

It is all according to who is—

The SPEAKER. The gentleman is out of order. Confine yourself to the amendments before the House.

Mr. ZELLER. Thank you, Mr. Fineman.

I believe in order to bring out the information I would like to, because I should say others have been given latitude and since I have not, all I can say is this: According to what I am reading here, what Mr. Shupnik is asking for could very well be taken care of by a reallocation of funds in the so-called correctional institution education, line sequence No. 113, on page 5. Whereas they used to get \$750,000, now they are going to get \$2 million. Got a load of that one.

Now we could reallocate this money. I am going to vote against Mr. Shupnik's amendment. The reason why is not what the opposition is talking about, because they

can reallocate it and get what they want, but they are getting it into the so-called psychologist area. They are brainwashing you and taking care of all these country-club ideas. You are going to have the same condition existing that you have today. You are getting nowhere, Mr. Speaker.

So, therefore, I close by saying, let us reallocate the money; let us vote this amendment down; let us do a job and take these people and really straighten them out.

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

Mr. SCIRICA. Thank you, Mr. Speaker. I will be very brief.

The arguments and the problems raised by Mr. Shupnik and Mr. O'Connell are very real, but I join Mr. Fisher in asking for the defeat of this amendment.

I think the members should be aware that the people whom we are talking about are not in the general population in the prisons; they are in the BAUs or the maximum security block. The choice is between keeping them in the maximum security block or sending them to a new institution—Waymart.

I would maintain that with additional money, but with much less money than is called for in this amendment, the maximum security blocks could receive additional staff, more guards, more security, and even new programs. It is not necessary to create a new institution for these purposes.

On the question recurring

Will the House agree to the amendments?

The yeas and nays were required by Messrs. SHUPNIK and WOJDAK and were as follows:

YEAS—41

Abraham	Foster, W.	LaMarca	Shelhamer
Bennett	Fryer	Mrkonjic	Shupnik
Brandt	Gallen	Mullen	Stahl
Brunner	Geesey	Novak	Trello
Butera	Geisler	O'Brien	Ustynoski
Davis, D. M.	Hasay	O'Connell	Valicenti
DeMedio	Hepford	Romanelli	Vann
DiDonato	Hill	Ruggiero	Whittlesey
Eckensberger	Hutchinson, A.	Scheaffer	Wilt, W. W.
Fischer	Kowalshyn	Seltzer	Yahner
Flaherty			

NAYS—151

Anderson, J. H.	Green	McLane	Schweder
Arthurs	Greenfield	Mebus	Scirica
Barber	Grieco	Menhorn	Shane
Bellomini	Gring	Milanovich	Shelton
Beren	Halverson	Miller, M. E.	Shuman
Berlin	Hamilton, J. H.	Miller, M. E., Jr.	Sirianni
Berson	Hammock	Milliron	Smith, E.
Bittle	Haskell	Miscevich	Smith, L.
Blackwell	Hayes, D. S.	Moehlmann	Spencer
Bradley	Hayes, S. E.	Morris	Stapleton
Bonetto	Hopkins	Myers	Stout
Burns	Hutchinson, W.	Noye	Sullivan
Cessar	Irvic	O'Donnell	Taddonio
Cimini	Itkin	O'Keefe	Taylor
Cohen	Johnson, J.	Oliver	Tayoun
Cole	Katz	Pancoast	Toll
Cowell	Kelly, A. P.	Parker, H. S.	Turner
Crawford	Kelly, J. B.	Perri	Vroon
Cumberland	Kernick	Perry	Wagner
Davies	Kistler	Petrarca	Walsh, T. P.
Deverter	Klingaman	Pievsky	Wansacz
Dicarlo	Knepper	Pitts	Wargo
Dietz	Kolter	Polite	Weidner
Dombrowski	Kusse	Pyles	Westerberg
Dorr	Laughlin	Pratt	Whelan
Doyle	Lederer	Rappaport	Wilson
Dreibelbis	Lehr	Reed	Wilt, R. W.
Englehart	Letterman	Renninger	Wojdak
Fee	Levi	Renwick	Worrilow

Fisher	Lincoln	Rhodes	Wright
Foster, A.	Lynch	Richardson	Yohn
Gallagher	Manderino	Rieger	Zearfoss
Garzia	Manmiller	Ritter	Zeller
George	McCall	Ross	Zord
Giammarco	McClatchy	Ryan	Zwikl
Gillespie	McCue	Saloom	Fineman,
Gillette	McGinnis	Salvatore	Speaker
Gleason	McIntyre	Schmitt	
Goodman			

NOT VOTING—11

Caputo	Gleason	Mullen, M. P.	Sweeney
Dininni	Laudadio	Musto	Thomas
Fawcett	McGraw	Prendergast	

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

**FAMILY OF MR. BERLIN WELCOMED**

The SPEAKER. The Chair is pleased to recognize and welcome the wife of one of our members—Mrs. Madeline Berlin—and her daughters, Pamela and Alyson.

**HOUSE SCHEDULE**

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Before we leave for the lunch recess, let me make this announcement:

We will now be in session tomorrow. Those of you who asked me that question earlier, I said it was my estimate we would finish today. We obviously cannot finish today. We shall be back in session tomorrow, and I would anticipate it may take all of tomorrow. For those of you who have to alter plans, please start altering them now.

Thank you, Mr. Speaker.

**RECESS**

The SPEAKER. This House now stands in recess until 1:45 p.m.

**AFTER RECESS**

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

**THE SPEAKER (Herbert Fineman) IN THE CHAIR**

**CONSIDERATION OF HOUSE BILL No. 1336 RESUMED**

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

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

Amend Sec. 2, page 26, line 30 by striking out "922,694,000" and inserting: 918,694,000

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

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

Mr. MORRIS. Mr. Speaker, this is a very simple amendment. We have been informed that raising the

individual cash grants by 7 instead of 6 percent, which was in the Governor's suggested budget, comes to about \$4.5 million.

Well, knowing the Department of Welfare—we heard lots of discussion about it this morning—it just occurred to me that in spite of the excellent job Mr. Wojdak and his staff have done, they may have slipped by about \$4 million or \$5 million extra on us to take care of the future, so this little effort here would help pay for the extra one percent for the recipients. It is entirely possible they will not need this \$4 million, so I urge all the members to vote for this amendment.

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

Mr. WOJDAK. Mr. Speaker, in response to Mr. Morris, the money that is in the budget is absolutely necessary if this House wants the recipients to have a 7-percent increase.

I am not going into all the remarks that were made earlier on the Foster amendment, but all of those same kinds of reasons apply to this amendment that you are presenting.

The staff and the Appropriations Committee had looked at this figure and determined that the case load was down. We took the Governor's figure—it is not costing any new money—and rather than reducing it, we kept it the same so as to enable a lower case load to have a 7-percent increase rather than six. In our opinion, it is justified; the need is there.

Again, without expanding on the reasons that were given before, Mr. Speaker, I would urge the defeat of this Morris amendment.

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

The yeas and nays were required by Messrs. MORRIS and WOJDAK and were as follows:

**YEAS—68**

Anderson, J. H.	Geesey	McGinnis	Shuman
Bittle	Gleason	Manmiller	Sirianni
Butera	Gring	Mebus	Smith, E.
Crawford	Halverson	Miller, M. E., Jr.	Smith, L.
Cumberland	Hammock	Mochlmann	Spencer
Davies	Hayes, D. S.	Morris	Stahl
Davis, D. M.	Hayes, S. E.	Myers	Taylor
Deverter	Hepford	Noye	Turner
Dietz	Hill	O'Connell	Vroon
Dorr	Kernick	Parker, H. S.	Wagner
Dreibelbis	Kistler	Pitts	Westerberg
Eckensberger	Klingaman	Rappaport	Whelan
Fischer	Kusse	Renninger	Wilt, R. W.
Foster, A.	Lehr	Ryan	Wilt, W. W.
Foster, W.	Letterman	Scheaffer	Yahner
Fryer	Levi	Seltzer	Zearfoss
Gallen	McCue	Shelhamer	Zeller

**NAYS—112**

Abraham	Gillespie	Milliron	Saloom
Arthurs	Gillette	Miscevich	Salvatore
Barber	Goodman	Mrkonic	Schmitt
Bellomini	Green	Mullen, M. P.	Schweder
Bennett	Greenfield	Mullen	Scirica
Berlin	Grieco	Musto	Shane
Berson	Hamilton, J. H.	Novak	Shelton
Bonetto	Hasay	O'Brien	Shupnik
Bradley	Haskell	O'Donnell	Stapleton
Brunner	Hopkins	O'Keefe	Sullivan
Burns	Irvis	Oliver	Toll
Cimini	Itkin	Pancoast	Trello
Cohen	Katz	Perri	Ustynoski
Cole	Kelly, A. P.	Perry	Valicenti
Cowell	Kelly, J. E.	Petrarca	Vann
DeMedio	Knepper	Pievsky	Wansacz
Dicarilo	Kowalyshyn	Polite	Wargo

DiDonato	LaMarca	Pratt	Weidner
Dombrowski	Laughlin	Prendergast	Wilson
Doyle	Lederer	Pyles	Wojdak
Englehart	Lincoln	Reed	WorriLOW
Fee	Lynch	Renwick	Wright
Fisher	Manderino	Rhodes	Yohn
Flaherty	McCall	Richardson	Zord
Gallagher	McIntyre	Rieger	Zwinkl
Garzia	McLane	Ritter	
Geisler	Menhorn	Romanelli	Fineman,
George	Milanovich	Ruggiero	Speaker
Giammarco	Miller, M. E.		

NOT VOTING—23

Beren	Fawcett	Laudadio	Taddonio
Blackwell	Gleeson	McClatchy	Tayoun
Brandt	Hutchinson, A.	McGraw	Thomas
Caputo	Hutchinson, W.	Ross	Walsh, T. P.
Cessar	Johnson, J.	Stout	Whittlesey
Dininni	Kolter	Sweeney	

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

AMENDMENT PASSED OVER TEMPORARILY

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

Mr. WOJDAK. Mr. Speaker, I have not been furnished with a copy of this amendment. I do not know that it has been distributed for the use of the membership. I have just been handed a copy by Mr. Perry.

Could we hold off on Mr. Perry's amendment to give me an opportunity to look at it? I am sure some others may have the same problem.

Mr. PERRY. I do not care. Copies of the amendments were distributed to the members, but if you want to wait a little while, it is okay with me.

The SPEAKER. This amendment will go over temporarily.

On the question recurring,

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

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

Amend Sec. 2, page 9, line 21, by striking out "4,728,000" and inserting: 4,800,000

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Bennett.

Mr. BENNETT. Mr. Speaker, the amendment that I am offering is the first in a series of five amendments having to do mostly with the Department of Commerce. Some of these amendments have been alluded to earlier today, and I would only, at this time, like to remind the members that the Department of Commerce this year is facing some very serious situations relative to industrial park authorities, the bicentennial and a variety of problems.

Mr. Speaker, the first amendment that I am offering would increase the overall budget of the Department of Commerce by an amount of \$72,000, bringing it from \$4,728,000 to \$4,800,000, the budget that we believe the Department of Commerce needs to carry out the functions that have been assigned to it. I would ask for an affirmative vote on this first amendment.

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

Mr. WOJDAK. Mr. Speaker, I oppose the amendment being offered by Mr. Bennett. He is attempting to restore a cut the Appropriations Committee had made in the general government operations of the Commerce Department. We do not feel it is an unreasonable cut. In going through the various components of the general government operations of the department, we have not distributed the personnel costs at all, the fixed-asset costs. We have not distributed their augmentation for Federal funding. We did tighten up in the area of their contracts. We made a cut that is slight, which the department has not objected to. We have had no requests to restore it. We have indications they can live reasonably within what we have done.

In the context of what we are doing here today, I would ask for a negative vote on this amendment.

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

Mr. HASKELL. Mr. Speaker, would the gentleman, Mr. Bennett, stand for interrogation?

The SPEAKER. Will the gentleman, Mr. Bennett, consent to interrogation?

Mr. BENNETT. Yes.

The SPEAKER. The gentleman may proceed.

Mr. HASKELL. Mr. Speaker, if these funds are restored from the original cut in the appropriations bill, what will they be used for specifically?

Mr. BENNETT. This amendment directs itself to page 9, line 21. It would be used for the salaries and wages and all necessary expenses for the proper administration of the department.

Mr. HASKELL. Mr. Speaker, I still do not understand what this money would be used for, though; generally speaking, yes, wages and so forth. But can you be a little more specific?

What was the money cut from originally? Wages? Did we decrease the number of employees or what?

Mr. BENNETT. Not to my knowledge, Mr. Speaker, did we decrease the employment. As a matter of fact, the reverse has happened. They have hired other persons in the Department of Commerce. As I indicated in my opening remarks, because of the increased work load that will be in the Department of Commerce this year and next year for the Bicentennial observation, certain other persons have been hired.

Mr. HASKELL. Mr. Speaker, is the gentleman saying that the \$72,000 that is requested in this amendment is being used for the Bicentennial Commission? What is it being used for?

I just would like to know for my own personal information, nothing else, why we are going to increase something. What is it going to be used for? We can always speak in general terms, but I would like him to be more specific.

Mr. BENNETT. Mr. Speaker, I am not trying to evade the gentleman's question. I can only say to him that a \$40,000 cut was made by the Appropriations Committee. I am attempting to restore that \$40,000 cut that was made by the Appropriations Committee to the original budget and, rounding out the figures, bring it up to \$4,850,000.

Mr. HASKELL. Mr. Speaker, the gentleman is asking us to vote on amendments for \$72,000, according to my

figures here, but he is going to round it out to \$4.8 million.

I just think it is a reasonable request that any member who presents an amendment should explain to us in specific terms how the increased money is going to be used. We have not received an answer.

Mr. BENNETT. Perhaps I can do it in this way, Mr. Speaker:

I am sure the gentleman knows that, because of the increased cost of all things that we are facing, we are assuming that the department would use it for those increased costs—the increased cost of wages, increased cost of salaries, increased cost of materials, brochures, et cetera. I hope that satisfies the gentleman.

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

The yeas and nays were required by Messrs. BENNETT and WOJDAK and were as follows:

YEAS—11

Bennett	Hammock	Pitts	Vroon
Gleason	McCue	Smith, L.	Whelan
Halverson	Myers	Ustynowski	

NAYS—174

Abraham	Geisler	McGinnis	Saloom
Anderson, J. H.	George	McIntyre	Salvatore
Arthurs	Giammarco	McLane	Scheaffer
Barber	Gillespie	Mebus	Schmitt
Beren	Gillette	Menhorn	Schweder
Berlin	Goodman	Milanovich	Scirica
Berson	Green	Miller, M. E.	Seltzer
Bittle	Greenfield	Miller, M. E., Jr.	Shelhamer
Blackwell	Grieco	Milliron	Shelton
Bonetto	Gring	Miscevich	Shuman
Bradley	Hamilton, J. H.	Moehlmann	Shupnik
Brandt	Hasay	Morris	Sirianni
Brunner	Haskell	Mrkonic	Smith, E.
Burns	Hayes, D. S.	Mullen, M. P.	Spencer
Butera	Hayes, S. E.	Mullen	Stahl
Cessar	Hepford	Musto	Stapleton
Cimini	Hill	Novak	Sullivan
Cohen	Hopkins	Noye	Taylor
Cole	Hutchinson, W.	O'Brien	Tayoun
Cowell	Irviss	O'Connell	Toll
Crawford	Itkin	O'Donnell	Trello
Cumberland	Johnson, J.	O'Keefe	Turner
Davis, D. M.	Katz	Oliver	Vann
DeMedio	Kelly, A. P.	Pancoast	Wagner
Deverter	Kelly, J. B.	Parker, H. S.	Wansacz
Dicarlo	Kernick	Perri	Wargo
DiDonato	Kistler	Perry	Weidner
Dietz	Klingaman	Petrarca	Westerberg
Dombrowski	Knepper	Pievsky	Whittlesey
Dorr	Kolter	Polite	Wilson
Doyle	Kowalshyn	Pratt	Wilt, R. W.
Dreibelbis	Kusse	Prendergast	Wilt, W. W.
Eckensberger	LaMarca	Pyles	Wojdak
Englehart	Laughlin	Rappaport	Worrillow
Fee	Lederer	Reed	Wright
Fischer	Lehr	Renninger	Yahner
Fisher	Letterman	Renwick	Yohn
Flaherty	Levi	Rhodes	Zearfoss
Poster, A.	Lincoln	Richardson	Zeller
Poster, W.	Lynch	Rieger	Zord
Fryer	Manderino	Ritter	Zwinkl
Gallen	Manmiller	Romanelli	
Garzia	McCall	Ross	Fineman,
Geesey	McClatchy	Ruggiero	Speaker

NOT VOTING—18

Bellomini	Gallagher	Ryan	Taddonio
Caputo	Gleeson	Shane	Thomas
Davies	Hutchinson, A.	Stout	Valicenti
Dininni	Laudadio	Sweeney	Walsh, T. P.
Fawcett	McGraw		

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

QUESTIONS OF PERSONAL PRIVILEGE

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

Mr. RICHARDSON. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. Mr. Speaker, I would like to be recorded as voting in the negative on the Morris amendment to House bill No. 1336.

The SPEAKER. The gentleman's remarks will be noted for the record.

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

Mr. DAVIES. Mr. Speaker, I would like to be recorded as voting in the negative on the Bennett amendment to House bill No. 1336.

The SPEAKER. The gentleman's remarks will be noted for the record.

On the question recurring,

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

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

Amend Sec. 2, page 9, line 28, by striking out "500,000" and inserting: 750,000

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Bennett.

Mr. BENNETT. Mr. Speaker, I am not sure which one the clerk called up at this point, but it looks like Little Big Horn all over again.

The SPEAKER. The amendment that the Speaker has been handed increases the appropriation on page 9, line 28, from \$500,000 to \$750,000.

The gentleman may proceed.

Mr. BENNETT. Mr. Speaker, this is an amendment for the industrial development agencies assistance fund program. And before I go into the specifics on the amendment which I have prepared to the budget, I would like to make some observations about the state of our economy.

First, the United States had for so many years led the rest of the world in industrial productivity, and it comes as a shock for many of us to realize that this is no longer true. Based on growth rates over the past 15 years, our nation trails in productivity increases. One measure of the real output of goods and services for employed civilians shows that productivity increases from 1956 to 1973 have been greater in Japan by 6.7 percent and in other countries. Some authorities claim that these alarming figures can be traced in large part to the fact that the United States—

POINT OF ORDER

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

Mr. ZELLER. I rise to a point of order.

The SPEAKER. The gentleman may state it.

Mr. ZELLER. Mr. Speaker, in all fairness, I think

you should use the same ruling on Mr. Bennett as you do on Joe Zeller.

Thank you, sir.

The SPEAKER. The gentleman will proceed.

Mr. BENNETT. Some authorities claim that these alarming figures can be traced in large part to the fact that the United States devotes a much smaller share of its production to upgrading and expanding its manufacturing facilities. Because of this disparity in investment, they tell us that the absolute level of superiority of United States production is rapidly diminishing.

Further, they add that the lag in U.S. investments has effectively lowered rates of advance in living standards of the average consumer in the United States, created shortages in basic materials in industry during periods of economic expansion, and has added substantially to the inflationary consequences of high employment in recent years.

Whether or not we agree with this economic analysis, there is no disputing the figures. Our nation's investment to production ratio is lower than that of Japan, West Germany and France. Their gross rate is well ahead of ours.

Here in Pennsylvania, as was alluded to by Mr. Vroon earlier, our major tools in attracting industrial investments to the Commonwealth have been our economic assistance and development programs in the Department of Commerce. One of their important programs is the Industrial Development Assistance Program which employs a system of matching funds. Its main purpose has always been to provide matching dollars to supplement and stimulate development programs in local development industrial organizations—

The SPEAKER. Will the gentleman suspend?

#### POINT OF ORDER

The SPEAKER. For what purpose does the gentleman, Mr. Zeller, rise?

Mr. ZELLER. Mr. Speaker, I would like it to be known to the members here that it is absolutely ridiculous when some members are cut off and others are given all the praise and glory in the world by you. I think it is ridiculous. For us to sit here and have you tell us that you are going to let this man wander on and someone else has to be cut off because you do not care for them, I think it is out of order.

Now go ahead and tell him, "Continue, Mr. Bennett."

Mr. BENNETT. Continuing—its prime purpose has always been to provide matching dollars—

The SPEAKER. Are you running the House, Reid?

The gentleman, Mr. Bennett, may proceed.

Mr. BENNETT. Its main purpose has always been to provide matching dollars to stimulate development programs by local industrial development organizations to promote expansion within their own communities throughout the Commonwealth.

Farsighted legislatures created this program back in 1953 and presently 55 of the States' 67 counties are represented by qualified development organizations.

The SPEAKER. Now get down to the amendments, Reid.

Mr. BENNETT. I waited all day long for you.

The SPEAKER. Come on. There are 65 amendments to go. We will be here until doomsday if we do not get this job moving.

Mr. BENNETT. We do what we have to do, Mr. Speaker. I am asking the members of this House to increase the appropriation for the industrial development authorities by a sum of \$250,000. We need the money; we need the industrial development authorities. It is a matching-fund program. The money is matched by those local communities.

Mr. Speaker, I ask for an affirmative vote on the amendment.

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

Mr. HASKELL. Mr. Speaker, I am not trying to prolong this argument. I fully realize that we have many amendments, but I think that we should have a better explanation.

I have an amendment here—according to what I think we are discussing right now, which is an amendment to section 2, page 9, line 28, to increase the present amount from \$500,000 to \$1 million.

The SPEAKER. No. The amendment that the Speaker has before him is an amendment to section 2, page 9, line 28, striking out \$500,000 and inserting \$750,000.

Mr. HASKELL. Mr. Speaker, I would respectfully suggest that we never received that amendment.

The SPEAKER. Will the mover of the amendment, Mr. Bennett, advise the House if the amendment to which the Speaker has referred is the amendment that he is addressing himself to?

Mr. BENNETT. Yes, it is, Mr. Speaker. It is my information that, through some error, the wrong amendment has been given to the members, and I will apologize to the members of this House for not saying beforehand that we have reduced the amount that we were going to ask for initially.

The SPEAKER. So the correct amendment is the one that eliminates \$500,000 and substitutes in lieu thereof \$750,000. That is on line 28, page 9.

Mr. HASKELL. Thank you, Mr. Speaker.

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

Mr. WOJDAK. Mr. Speaker, I oppose the increase in this amendment. As the membership knows, this fund that Mr. Bennett is attempting to increase is used for assisting local development authorities to handle various planning and research projects that might be necessary to promote local industrial development programs.

Mr. Speaker, the Appropriations Committee did not cut this request. We have had no request to increase it. There was no request submitted via the budget document submitted by the Commerce Department to the Budget Secretary. The department is satisfied. I am satisfied. The only one that apparently is not satisfied is Mr. Bennett. I think everyone agrees that it is sufficient money for the purposes for which it is being used. To my knowledge, the department is not advocating the increase, and I would ask for a negative vote.

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

Mr. VROON. Mr. Speaker, again I must rise to support this amendment because I believe it is a very good one. I am gratified that the gentleman did cut it down from \$1 million to \$750,000. This is, then, a very small increase for a very worthy purpose.



I have personally had experience in dealing with some of these local development agencies in an attempt to get money for the promotion of an enterprise of my own. I know how they operate and I know that they do a very effective job. These agencies help small businesses in developing an enterprise of worth. Many times these small businesses blossom out into large businesses and create a lot of jobs in their particular areas. I think this is a very worthy enterprise and I think the \$250,000 advocated as an increase is very small indeed and very well spent.

I surely do promote the approval of this amendment and I ask all the members to think favorably on this. Let us try to make Pennsylvania the number one state in industry. We are proud of our industry. Let us make it stronger; let us provide jobs so that some of the other problems that we face will be lessened thereby.

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

Mr. HASKELL. Mr. Speaker, will the gentleman, Mr. Bennett, stand for interrogation?

The SPEAKER. Will the gentleman, Mr. Bennett, consent to interrogation?

Mr. BENNETT. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. HASKELL. Mr. Speaker, according to what I understand, the Appropriations Committee chairman stated that the department did not request this increase; the Appropriations Committee did not request this increase. So why are you submitting it? Who requested it?

Mr. BENNETT. That is a tough one, Mr. Speaker.

The SPEAKER. Yes, that is a pretty good question.

Are you just going to stand there or do you have an answer?

Mr. BENNETT. No, I am thinking. I am trying to answer the gentleman, really, without embarrassing a lot of people, Mr. Speaker.

Mr. Speaker, I have been asked by people in the department to introduce these amendments. I am being mousetrapped by the front office by being asked not to introduce them.

Now I do not appreciate what is happening on the floor of this House today, and those of you who have been here for a few years see what is happening, I think, as well as I do when you look at the board at the votes that are being put up there. I am not going to try, Mr. Speaker, to read the mind of any member of this House, and I am certainly not going to try to insult anybody's integrity by suggesting why a vote is being made or withheld.

Mr. Speaker, I am telling you and I am telling the members of this House that the information that I have been given as the chairman of the Business and Commerce Committee is that we need this money for industrial development authorities. There was a delegation of people in my office this week from the local communities. They told me they need this money; I am convinced that we need it. If you are not convinced, vote against it. I am convinced that we need it and I am voting for it.

Mr. HASKELL. Mr. Speaker, I thank the gentleman. This is precisely my point. Oftentimes, when we get into these budget fights, various members will come before us and offer amendments. We do not know where

they came from or who is offering them. Gathering from Mr. Bennett's explanation of how this amendment got before us, no one is specifically running the Department of Commerce. There are a few staff people who would like to have more money. The department officially did not ask for it. I am just wondering who is running the Department of Commerce, if this is the way they are going to conduct their business. Thank you, Mr. Speaker.

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

The yeas and nays were required by Messrs. BENNETT and WOJDAK and were as follows:

YEAS—33

Abraham	Halverson	McGinnis	Salvatore
Bennett	Hayes, D. S.	Menhorn	Scheaffer
Beren	Katz	Mullen, M. P.	Scirica
Brandt	Lederer	Noye	Smith, L.
Cimini	Letterman	Pancoast	Ustynoski
Davies	Levi	Perri	Vroon
Deverter	McClatchy	Pitts	Wilson
Fischer	McCue	Pyles	Wilt, W. W.
Grieco			

NAYS—160

Anderson, J. H.	George	Milanovich	Shelhamer
Arthurs	Giammarco	Miller, M. E.	Shelton
Barber	Gillespie	Miller, M. E., Jr.	Shuman
Bellomini	Gillette	Milliron	Shupnik
Berlin	Gleason	Miscevich	Sirianni
Berson	Goodman	Moehlmann	Smith, E.
Bittle	Green	Morris	Spencer
Blackwell	Greenfield	Mrkonic	Stahl
Bonetto	Gring	Mullen	Stapleton
Bradley	Hamilton, J. H.	Musto	Stout
Brunner	Hammock	Myers	Sullivan
Burns	Hasay	Novak	Taddonio
Butera	Haskell	O'Brien	Taylor
Cessar	Hayes, S. E.	O'Connell	Tayoun
Cohen	Hepford	O'Donnell	Toll
Cole	Hill	O'Keefe	Trello
Cowell	Hopkins	Oliver	Turner
Crawford	Hutchinson, A.	Parker, H. S.	Valicenti
Cumberland	Hutchinson, W.	Perry	Vann
Davis, D. M.	Irvis	Petrarca	Wagner
DeMedio	Itkin	Pievsky	Walsh, T. P.
Dicarlo	Kelly, A. P.	Polite	Wansacz
DiDonato	Kelly, J. B.	Pratt	Wargo
Dietz	Kernick	Prendergast	Weidner
Dombrowski	Kistler	Reed	Westerberg
Dorr	Klingaman	Renninger	Whelan
Doyle	Knepper	Renwick	Whittlesey
Dreibelbs	Kolter	Rhodes	Wilt, R. W.
Eckensberger	Kowalshyn	Richardson	Wojdak
Englehart	Kusse	Rieger	WorriLOW
Fee	LaMarca	Ritter	Wright
Fisher	Laughlin	Romanelli	Yahner
Flaherty	Lehr	Ross	Yohn
Foster, A.	Lincoln	Ruggiero	Zearfoss
Foster, W.	Lynch	Ryan	Zeller
Fryer	Manderino	Saloom	Zord
Gallagher	Manmiller	Schmitt	Zwickl
Gallen	McCall	Schweder	
Garzia	McIntyre	Seltzer	Fineman,
Geesey	McLane	Shane	Speaker
Geisler	Mebus		

NOT VOTING—10

Caputo	Gleeson	McGraw	Sweeney
Dininni	Johnson, J.	Rappaport	Thomas
Fawcett	Laudadio		

So 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 as amended on third consideration?

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

Amend Sec. 2, page 10, line 18, by striking out "1,500,-000" and inserting: 1,850,000

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Bennett.

This amendment is on line 18, page 10, striking out \$1,500,000, and inserting \$1,850,000.

Mr. BENNETT. Mr. Speaker, so as to allay the fears of the members, the first amendment that was offered that has been circulated calls for \$2.3 million. That would be the same figure contained in a House bill that I introduced several months ago.

The money is for tourist promotion. There is a sum of \$1,500,000 that was put into the budget by the Appropriations Committee. Mr. Speaker, I believe that we could use the \$2.3 million. However, I am not going to ask the members of the House to vote for that; I am asking the members of this House to vote for an appropriation of \$1,850,000 for tourist promotion in this state. I do not think that I need to go into the program. It is well known. It is known what these funds are used for. It is for local tourist promotion agencies. It is money to be spent all over Pennsylvania, not just in one or two areas.

Mr. Speaker, I would ask for an affirmative vote on this amendment.

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

Mr. HASKELL. Mr. Speaker, in the fiscal year 1974-75, there was a provision in the budget for \$1.5 million for tourist promotion in the Department of Commerce. The Governor excluded that amount for this year. This appropriation bill restores that to \$1.5 million.

As far as my understanding goes, the Department of Commerce and the people involved in the tourist industry are satisfied with this amount. I see no reason why we should add an additional \$350,000.

Thank you, Mr. Speaker.

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

Mr. WOJDAK. Mr. Speaker, Mr. Haskell is absolutely correct. The Governor's budget provided a zero amount for this program. Despite the fact that everyone is pulling their belt in, the Appropriations Committee did keep it alive, although we do have very serious concerns about its effectiveness. I really cannot warrant an amount, even at \$1.5 million. Under no circumstances could I warrant or justify an amount in excess of \$1.5 million.

For the further reasons that Mr. Haskell gave, I would recommend a "no" vote on this amendment.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. BENNETT and WOJDAK and were as follows:

YEAS—59

Anderson, J. H.	Grieco	Mebus	Scirica
Bennett	Halverson	Musto	Seltzer
Beren	Hasay	Novak	Smith, L.
Bittle	Hayes, D. S.	Noye	Ustynoski
Brandt	Hayes, S. E.	O'Connell	Vroon

Butera	Hill	Pancoast	Wagner
Cimini	Klingaman	Pitts	Wansacz
Cole	Kolter	Polite	Weidner
Cumberland	Kowalshyn	Pyles	Westerberg
Davies	Kusse	Renwick	Wilson
Deverter	Letterman	Romanelli	Wilt, R. W.
Dietz	Levi	Ruggiero	Wilt, W. W.
Foster, W.	McClatchy	Ryan	Yahner
Gallen	McCue	Saloom	Yohn
George	McGinnis	Scheaffer	

NAYS—131

Abraham	Geisler	McLane	Shane
Arthurs	Giammarco	Menhorn	Shelhamer
Barber	Gillespie	Milanovich	Shelton
Bellomini	Gillette	Miller, M. E.	Shuman
Berlin	Gleason	Miller, M. E., Jr.	Shupnik
Berson	Goodman	Milliron	Smith, E.
Blackwell	Green	Miscevich	Spencer
Bonetto	Greenfield	Moehlmann	Stahl
Bradley	Gring	Morris	Stapleton
Brunner	Hamilton, J. H.	Mrkoncic	Stout
Burns	Hammock	Mullen	Sullivan
Cessar	Haskell	Myers	Taddonio
Cohen	Hepford	O'Brien	Taylor
Cowell	Hopkins	O'Donnell	Tayoun
Crawford	Hutchinson, A.	O'Keefe	Tou
Davis, D. M.	Hutchinson, W.	Oliver	Trello
DeMedio	Irvis	Parker, H. S.	Turner
Dicarlo	Itkin	Perri	Valicenti
DiDonato	Katz	Perry	Vann
Dombrowski	Kelly, J. B.	Petrarca	Walsh, T. P.
Dorr	Kernick	Pievsky	Wargo
Doyle	Kistler	Pratt	Whelan
Dreibelbis	Knepper	Prendergast	Whittlesey
Eckensberger	LaMarca	Reed	Wojdak
Englehart	Laughlin	Renninger	Worrlow
Fee	Lederer	Rhodes	Wright
Fischer	Lehr	Richardson	Zearfoss
Fisher	Lincoln	Rieger	Zeller
Flaherty	Lynch	Ritter	Zord
Foster, A.	Manderino	Ross	Zwinkl
Fryer	Manmiller	Salvatore	
Gallagher	McCall	Schmitt	Fineman,
Garzia	McIntyre	Schweder	Speaker
Geesey			

NOT VOTING—13

Caputo	Johnson, J.	McGraw	Sirianni
Dininni	Kelly, A. P.	Mullen, M. P.	Sweeney
Fawcett	Laudadio	Rappaport	Thomas
Gleeson			

So 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 as amended on third consideration?

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

Amend Sec. 2, page 10, line 21, by striking out "5,000,-000" and inserting: 7,500,000

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Bennett.

This amendment is on page 10, line 21. It strikes out \$5 million and inserts \$7,500,000.

Mr. BENNETT. Things are looking up.

Mr. Speaker, this amendment would add \$2½ million to the Bicentennial Commission's appropriation of \$5 million.

Mr. Speaker, I said on the floor of this House when I introduced House bill No. 976 that it was my opinion, and I am convinced of it, that the Bicentennial observation next year in the Commonwealth of Pennsylvania will be looked upon as one of the greatest events in the nation. I said then and I repeat it now, that not in my life span

nor probably in the life span of anyone in this chamber will Pennsylvania again have a chance to demonstrate to the nation and the world the richness of its scenic and natural beauty.

Without going into all of the reasons, Mr. Speaker, why I believe as firmly as I do and not to belabor the House, I will ask for an affirmative vote on this amendment.

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

Mr. DeVERTER. Thank you, Mr. Speaker.

I wonder if the gentleman, Mr. Bennett, would consent to a brief question or two, please?

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

Mr. BENNETT. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. DeVERTER. Mr. Speaker, all the amendments thus far have dealt with dealing with the Department of Commerce, vary in degree from the amounts in the amendments that were on our desks. Is there any particular reason? Mr. Speaker, I need not remind you that I wish not to embarrass anyone—as you know, many have been embarrassed today on the floor of this House—but why were the new amendments not circulated so that we would know, in fact, what was going to occur?

Mr. BENNETT. Mr. Speaker, I have apologized to the members for that oversight. The first set of amendments that I had drafted were, indeed, circulated. It is my fault that the second set was not.

Mr. DeVERTER. What influenced your decision to change the amounts that you had originally proposed?

Mr. BENNETT. Several things, Mr. Speaker. The main thing was the way the vote went yesterday.

Mr. DeVERTER. Was that the only consideration or was it also some consideration from the front office that you alluded to earlier?

Mr. BENNETT. No. I have not heard anything from the front office other than what I told you.

Mr. DeVERTER. Thank you, Mr. Speaker.

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

Mr. RICHARDSON. Mr. Speaker, I rise to oppose the amendment for a couple of reasons. Yesterday we talked a little about the Bicentennial, and I have an amendment that will be coming up later dealing with the Bicentennial.

What I want to say here and now is that it would seem to me that as we talk about this big, gala world affair that is going to happen here across our state, people are starving, people are certainly in a deep depression, asking for jobs, and we are battling here on the floor. I have not seen yet, through this Bicentennial, any means, particularly in my district and in my community, or any effort afoot to deal specifically with trying to get programs.

I have talked to the caucus about this and I am raising it on the floor because I feel that the time has come for us to stop playing games. Yes, there will be a big affair—they are talking about bringing wagons here—but I just cannot conceive that we are going to spend \$2 million more on top of all the other money. We are talking about an affair that has not really been outlined to me or underscored in terms of how it is going to be spent and what community it is going to be spent for, and I just ask the members to certainly vote this amendment down.

It is a thing that I think certainly everybody wants to talk about—a 1776 celebration in 1976—but at the same time I have to go back and think on all the things that it is supposed to underline and what it is supposed to mean. At this present time, with the situation being what it is in this country and being what it is in this state, it would seem to me that we could appropriate \$2 million in another direction to make sure that people are eating and have shelter.

I would certainly believe that our concern would be to protect and take care of our citizenry, those individuals who are our constituents and who have the kinds of problems that have been underlined throughout this entire budget fight.

I mean no disrespect to Mr. Bennett. It is just that I feel that money should be utilized in a much more effective kind of way, dealing with the problems that exist within our communities.

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

Mr. HASKELL. Mr. Speaker, will the gentleman, Mr. Wojdak, stand for interrogation?

The SPEAKER. Will the gentleman, Mr. Wojdak, consent to interrogation?

Mr. HASKELL. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. HASKELL. Mr. Speaker, when the Bicentennial Commission members came before the Appropriations Committee at the hearings earlier this year, what was their original request?

Mr. WOJDAK. Their original request was for \$5 million. There has been no additional request for any increase, and surely not for a 50-percent increase, because I think we are really stretching beyond the point of reason with this amendment by asking for a 50-percent increase.

Mr. HASKELL. Thank you.

Mr. Speaker, would the gentleman, Mr. Bennett, stand for interrogation?

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

Mr. BENNETT. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. HASKELL. Would the gentleman explain to us why he is offering this amendment? Who requested this substantial increase in our Bicentennial Commission moneys for next year?

Mr. BENNETT. Mr. Speaker, I requested the money. I have attempted this year, with the House Business and Commerce Committee, to meet with the Bicentennial people. Various meetings have been held. Just recently, Lieutenant Governor Kline and Mr. Ebner, who is the executive director, testified before the House Business and Commerce Committee as to what was being done on the Bicentennial and what their plans are. There are several other pieces of legislation, I believe, in this chamber and, I am told, in the other chamber that would appropriate several different amounts of money to the Bicentennial Commission.

Mr. Speaker, it is my own personal conviction that \$5 million is not going to support it. It is my own personal conviction that we need the \$2.5 million that I am asking for based on the information that has been given to me, and I share that with you. If you have specific questions, Mr. Speaker, I would attempt to answer those.

Just as an aside, I said in my own caucus and I have said to members of the minority that I would ask Mr. Ebner and the Lieutenant Governor to speak before the complete legislature on the Bicentennial Commission. We have members of the legislature who are members of that commission, on both sides of the aisle and in both Chambers.

Again, Mr. Speaker, it is my own personal conviction that we need this additional money.

Mr. HASKELL. Mr. Speaker, thank you.

Mr. Speaker, one further comment: I just find it disturbing that members from the various departments have to, in a sub-rosa way, come before the legislature to ask for additional increases above what they asked for when they went before the Appropriations Committee. I think we should vote "no" on this. Thank you.

Mr. BENNETT. That is nothing new, Mr. Speaker.

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

Mr. McCLATCHY. Mr. Speaker, would Mr. Wojdak present himself for interrogation?

The SPEAKER. Will the gentleman from Philadelphia, Mr. Wojdak, consent to interrogation?

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. McCLATCHY. Yesterday I think I heard on KYW that the city's Bicentennial is in trouble. I think the remarks came from Mr. Bellinger.

As long as we are on the subject of funding for the Bicentennial Commission, could you answer me whether there are any plans by the Appropriations Committee to take care of any additional funding for the Philadelphia area?

Mr. WOJDAK. There are absolutely no plans by me or members of the Appropriations Committee to take care of any Bicentennial needs that the city of Philadelphia has.

Mr. McCLATCHY. Are you aware of the crisis he talked about yesterday?

Mr. WOJDAK. I did not see the paper; I did not see Mr. Rafsky's remarks. I understood, though, that various projects that they had in mind might not be funded. They were listing things in some sort of order of priority, and where the breakpoint will be for nonfunding I am not aware of.

Mr. McCLATCHY. He mentioned a crisis in the crowds that are coming, the unavailability of such things as even pay toilets or free toilets, the problems that the crowds were going to present us with, and that unless something was done in the immediate future, it would be a disaster for the Philadelphia area.

I would suggest that Mr. Bennett's amendment moves in that direction, and until we hear something from somebody else to get more funds, at least it is something. I would support the amendment, Mr. Speaker.

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

Mr. WODJAK. Mr. Speaker, may I clarify something? In response to Mr. McClatchy's question, I have been advised that there is a bill in my committee to prepare SEPTA, the public transportation system, for the Bicentennial. I am really not familiar with the contents of the bill. It is in my committee though.

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

The yeas and nays were required by Messrs. BENNETT and WOJDAK and were as follows:

YEAS—26

Bennett	Letterman	Pitts	Tayoun
Burns	Lynch	Pyles	Vroon
Gring	McClatchy	Reed	Wansacz
Halverson	Mebus	Renninger	Weidner
Hammock	Myers	Salvatore	Wilson
Hayes, D. S.	Noye	Scheaffer	Wright
Hill	Parker, H. S.		

NAYS—167

Abraham	Gallen	McCue	Scirica
Anderson, J. H.	Garzia	McGinnis	Seltzer
Arthurs	Geesey	McIntyre	Shane
Barber	Geisler	McLane	Shelhamer
Bellomini	George	Menhorn	Shelton
Beren	Giammarco	Milanovich	Shuman
Berlin	Gillespie	Miller, M. E.	Shupnik
Berson	Gillette	Miller, M. E., Jr.	Sirianni
Bittle	Goodman	Milliron	Smith, E.
Blackwell	Green	Miscevich	Smith, L.
Bonetto	Greenfield	Moehlmann	Spencer
Bradley	Grieco	Morris	Stahl
Brandt	Hamilton, J. H.	Mrkonic	Stapleton
Brunner	Hasay	Mullen, M. P.	Stout
Butera	Haskell	Mullen	Sullivan
Cessar	Hayes, S. E.	Musto	Taddonio
Cimlin	Hepford	Novak	Taylor
Cohen	Hopkins	O'Brien	Toll
Cole	Hutchinson, A.	O'Connell	Trello
Cowell	Hutchinson, W.	O'Donnell	Turner
Crawford	Irvis	O'Keefe	Ustynoski
Cumberland	Itkin	Oliver	Valicenti
Davies	Johnson, J.	Pancoast	Vann
Davis, D. M.	Katz	Perry	Wagner
DeMedio	Kelly, A. P.	Petrarca	Walsh, T. P.
Deverter	Kelly, J. B.	Pievsky	Wargo
Dicarlo	Kernick	Polite	Westerberg
DiDonato	Kistler	Pratt	Wheilan
Dietz	Klingaman	Prendergast	Whittlesey
Dombrowski	Knepper	Rappaport	Wilt, R. W.
Dorr	Kolter	Renwick	Wilt, W. W.
Doyle	Kowalshyn	Rhodes	Wojdak
Dreibelbis	Kusse	Richardson	Worrilow
Eckensberger	LaMarca	Rieger	Yahner
Englehart	Laughlin	Ritter	Yohn
Fee	Lederer	Romanelli	Zearfoss
Fischer	Lehr	Ross	Zeller
Fisher	Levi	Ruggiero	Zord
Flaherty	Lincoln	Ryan	Zwilk
Foster, A.	Manderino	Saloom	
Foster, W.	Manmiller	Schmitt	Fineman,
Fryer	McCall	Schweder	Speake
Gallagher			

NOT VOTING—10

Caputo	Gleason	McGraw	Sweeney
Dininni	Gleeson	Perri	Thomas
Fawcett	Laudadio		

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

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair wants to advise the membership of the House that a member of the UPI will be taking photographs for a few moments on the House floor today.

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

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

Amend Sec. 2, page 19, by inserting between lines 21 and 27:

For payment to the State College Consortium for their cost in cooperating with the McKeever Environmental Learning Center ..... 168,000

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

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Bennett.

Mr. BENNETT. Mr. Speaker, the amendment that I am offering is cosponsored by Mr. Roy Wilt, also of Mercer County, and, Mr. Speaker, I will again ask the Chair for just a little latitude to explain the reason for the amendment.

This amendment would make a payment of \$168,000 to the State College Consortium for their cost in cooperating with the McKeever Environmental Learning Center.

Mr. Speaker, if I may, I would like to just tell the members of this House that we have a \$2-million facility located in Mercer County that is, from what I am told, the only one of its kind in the United States, that is, a conservation education center. Mr. Speaker, this appropriation would be, as far as I am concerned, hopefully a one-shot deal for this coming fiscal year, because the plan is to have the 13 state colleges who make up the consortium make this amount of money available through their individual budgets. So again, Mr. Speaker, it is a one-shot deal for the 1975-76 fiscal year.

I would yield at this time to Mr. Wilt, who might have some observations to make.

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Wilt.

Mr. R. W. WILT. Mr. Speaker, this project has been volleyed back and forth between the Department of Education and DER. For what reason, I am not sure. But each year we end up in the same dilemma with this piece of legislation.

And not to contradict my colleague from Mercer County, but the edifice is more in the \$4-million realm. It is operated for students of all ages, and without the appropriation we will have a \$4-million edifice sitting vacant and subject to vandalism, which would be an outright shame. It was built at the encouragement of the Department of Education and the Federation of Sportsmen's Clubs, and the consortium is operating it.

It would be my hope, first of all, that you would vote for this amendment and, second of all, that the two departments get their heads together over the next year and find out who in fact will operate it and how it will be funded, so that we do not have to go through this harangue every year.

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

Mr. COWELL. Mr. Speaker, would Mr. Bennett submit to a question, please?

The SPEAKER. Will the gentleman from Mercer, Mr. Bennett, consent to interrogation?

Mr. BENNETT. I will, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. COWELL. Mr. Speaker, can Mr. Bennett give us an indication, or rough idea anyway, of how many students actually benefit from this program?

Mr. BENNETT. I cannot give you a number, Mr. Speaker. I would say, as I understand it at this time, that there are students from, as I mentioned, the 13 colleges who at varying times attend this learning center.

In addition to that, there are elementary and secondary students who attend there for certain periods of time, as well as senior citizen study groups who also attend. I am sorry I just cannot give you a figure.

Mr. COWELL. Thank you.

Mr. Speaker, might I make a very brief comment?

The SPEAKER. The gentleman may proceed.

Mr. COWELL. Thank you.

The feedback that I have been getting on this particular center is that while it represents a very worthy idea, it was basically the brainchild of one college president. It did not turn out so well. There is a very minimum number of students. There are some, but there is a very minimum number of students who are actually benefiting from it. And I really hate to see us get into a situation where once again somebody else's idea is dumped on the state and we are going to finance it, either directly or again through our state colleges, on into eternity. So I would encourage a vote against this sticker amendment. Thank you.

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

Mr. WOJDAK. Mr. Speaker, in going through this entire budget, I think the worst boondoggle I have laid eyes on is this particular appropriation.

This center was built, as I understand it, for bringing in high school students to learn about nature and the environment. As Mr. Cowell said, it was the brainchild of one of the presidents of our state colleges.

The state colleges originally were supposed to fund this center out of their budgets. They have now refused to operate it from their budgets and are now trying to make it the responsibility of DER. Dr. Goddard has refused that responsibility. In fact, I am informed by the Budget Office that there is no money in here because they really cannot find anyone to assume responsibility for it. No one really wants to handle it.

Now they attempt to put it into DER, and really the only connection with DER is that apparently the center is in very close proximity to a state park, and by that stretch of logic, DER is supposed to assume responsibility for it.

What I would suggest to this House is that if, in fact, there is a benefit to be derived from this center—and the state colleges think there is a benefit—then let the state colleges fund it out of their budgets.

What I really suspect is that the entire matter is a flop. No one wants to handle it. Everyone is really trying to get rid of it, and they are now trying to dump it on us. I really strongly recommend a "no" vote on this.

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

Mr. SHUMAN. Mr. Speaker, as a matter of information, I think the first environmental study center in Pennsylvania is in Greencastle, sponsored by the Greencastle-Antrim School District. They have received commendations from all over the world, and all the schools in the area visit it and study there.

I am not talking against the appropriation, but in conjunction with Title 7, the Game Commission, the Fish Commission and the school districts, it is more than self-supporting and it is very popular.

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Wilt.

Mr. R. W. WILT. Mr. Speaker, if I may, to correct two of the previous speakers, the center is not the brainchild of a college president. It was after the idea had germinated and had moved along when sponsorship was solicited, and then the consortium was initiated. But it came from the local natives in Mercer County and the sportsmen in that area.

Just in passing, I have confessed that there is confusion about who should support and sponsor the program, and I would hope that in the future year we would get that resolved. But I would ask you now, as friends of this legislature, that you support this amendment so that we can operate the thing for another year until we do get it resolved.

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Bennett.

Mr. BENNETT. Mr. Speaker, many things are said on the floor of this House—

POINT OF ORDER

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

Mr. GREENFIELD. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. GREENFIELD. Mr. Speaker, as the majority leader said, we all should be interested in seeing that this budget is passed within a reasonable time so we do not experience payless days and other inconveniences.

Mr. Lincoln has mentioned that he is going to rise when someone deviates from the tone and the interest of the particular piece of legislation.

I also intend to rise, Mr. Speaker, when anyone violates a rule and ask for your indulgence in ruling that a member speak only twice on any particular piece of legislation, if we are going to get this budget passed within a reasonable time.

I think the gentleman has now spoken three or four times and I think that this is inconsiderate of the members and inconsiderate of getting this budget passed within a reasonable time.

Thank you, Mr. Speaker.

The SPEAKER. The point is well taken.

Does the gentleman, Mr. Bennett, have an absolutely essential point yet to make or can he waive his final address?

Mr. BENNETT. Finally, Mr. Speaker, I would say that the statements made by Mr. Cowell and the Appropriations Committee chairman are, at the best, inaccurate.

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

Mr. VANN. Mr. Speaker, may I ask Mr. Bennett a question?

The SPEAKER. Does the gentleman, Mr. Bennett, desire to yield for a question?

Mr. BENNETT. Certainly, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. VANN. Mr. Speaker, in the interest of the concern of the entire legislature, seeing that previous amendments that you had have gone down to overwhelming defeat, I wonder would you, for the benefit of all of us, just not issue any more amendments?

The SPEAKER. The Chair understands that this is the last amendment to be offered, and every member is entitled to offer whatever amendment he desires to so do.

QUESTION OF PERSONAL PRIVILEGE

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

Mr. ARTHURS. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. ARTHURS. You know, Mr. Speaker, it bothers me just a little bit that some of our members will rise and say that we do not give consideration and one bill is more important than another.

Perhaps this is true, but I think there are certain bills—and whether it is this one or whether it is another—that might be important to me and might be important to my people, and I do not like anyone saying that one bill is more important to consider and we should give more personal privilege or more latitude to one than we do to another. I just do not like that one little bit because here, for example, might be a bill that is important to many people in this state. Perhaps it is not to the right part of the state for certain people, but we tolerate a lot, too, on things that might not be important to me as an individual or to me as someone representing Butler County. I think that we should have—and everyone has the right to have—the same amount of latitude.

The SPEAKER. The Chair, all during the debate yesterday and today, has allowed the debate to be far reaching and ranging, and the Chair has not sought to cut off anybody.

I am at this point, however, soliciting the gentleman Mr. Bennett, in view of the fact that he has been to the microphone on three prior occasions on this bill, to be as brief as possible.

Mr. BENNETT. Thank you, Mr. Speaker.

In brief then, repeating what I said, the statements made by Mr. Wojdak and Mr. Cowell are, at the best, inaccurate.

It is an environmental learning center. It is a conservation education center. It is important to a great many people in northwest Pennsylvania. I would ask for an affirmative vote.

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

The yeas and nays were required by Messrs. BENNETT and WOJDAK and were as follows:

YEAS—54

Arthurs	Gring	Miller, M. E.	Scirica
Bennett	Halverson	Miller, M. E., Jr.	Seltzer
Beren	Haskell	Moehlmann	Smith, E.
Bittle	Hayes, D. S.	Myers	Smith, L.
Blackwell	Hepford	Noye	Spencer
Brandt	Hill	O'Connell	Sullivan
Butera	Klingaman	Parker, H. S.	Vroon
Cumberland	Knepper	Pratt	Weidner
Fee	Letterman	Ross	Westerberg
Fischer	Levi	Ryan	Whelan
Fisher	McCue	Saloom	Wilt, R. W.
Geesey	McGinnis	Salvatore	Wilt, W. W.
Gleason	Mebus	Scheaffer	Yohn
Green	Milanovich		

NAYS—139

Abraham	Geisler	McIntyre	Shane
Anderson, J. H.	George	McLane	Shelhamer

Barber	Giammarco	Menhorn	Shelton
Bellomini	Gillespie	Milliron	Shuman
Berlin	Gillette	Miscevich	Shupnik
Berson	Goodman	Morris	Sirianni
Bonetto	Greenfield	Mullen, M. P.	Stahl
Bradley	Grieco	Mullen	Stapleton
Brunner	Hamilton, J. H.	Musto	Stout
Burns	Hammock	Mrkonic	Taddonio
Cessar	Hasay	Novak	Taylor
Cimini	Hayes, S. E.	O'Brien	Tayoun
Cohen	Hopkins	O'Donnell	Tou
Cole	Hutchinson, W.	O'Keefe	Trello
Cowell	Irvis	Oliver	Turner
Crawford	Itkin	Pancoast	Ustynoski
Davies	Johnson, J.	Perri	Valicenti
Davis, D. M.	Katz	Perry	Vann
DeMedio	Kelly, A. P.	Petrarca	Wagner
Deverter	Kelly, J. B.	Pievsky	Walsh, T. P.
Dicarlo	Kernick	Pitts	Wansacz
DiDonato	Kistler	Polite	Wargo
Dietz	Kolter	Prendergast	Whittlesey
Dombrowski	Kowalyshyn	Pyles	Wilson
Dorr	Kusse	Reed	Wojdak
Doyle	LaMarca	Renninger	Worrilow
Dreibelbis	Laughlin	Renwick	Wright
Eckensberger	Lederer	Rhodes	Yahner
Englehart	Lehr	Richardson	Zearfoss
Flaherty	Lincoln	Rieger	Zeller
Foster, A.	Lynch	Ritter	Zord
Foster, W.	Manderino	Romanelli	Zwinkl
Fryer	Manmiller	Ruggiero	
Gallagher	McCall	Schmitt	Fineman,
Gallen	McClatchy	Schweder	Speaker
Garzia			

NOT VOTING—10

Caputo	Gleeson	McGraw	Sweeney
Dininni	Hutchinson, A.	Rappaport	Thomas
Fawcett	Laudadio		

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

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. The Chair recognizes the lady from Susquehanna, Miss Sirianni. For what purpose does the lady rise?

Miss SIRIANNI. I rise to a question of personal privilege.

The SPEAKER. The lady will state it.

Miss SIRIANNI. I would like to be recorded as "yes" instead of "no" on Mr. Bennett's last amendment to House bill No. 1336.

The SPEAKER. The lady's remarks will be noted for the record.

On the question recurring,

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

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

Amend Sec. 2, page 7, by inserting between lines 9 and 10: Enforcement of weather modification law including expenses of Weather Modification Board as to hearings, etc. 25,000

On the question,

Will the House agree to the amendment?

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

Mr. SHUMAN. I do not ask for much and I do not get much. I will change that; you misinterpreted the—

The SPEAKER. There is nobody in this House who gets more out of the chief clerk's office than you do. You walk out of there every day with barrelsful of stuff.

Mr. SHUMAN. No more than I can carry.

I want to review, when I came to the House here

many, many years ago, I asked for \$500 for a tree that the foresters sawed down and which fell on an old woman's car and smashed it all up. I never got that \$500 to this day yet from Marty Mullen.

I would like to introduce this amendment on behalf of the Weather Modification Board. Many, many years ago when Mr. Sullivan was the vice chairman of the Agriculture Committee—minority chairman, by the way—we had a bill that passed this House and the Senate whereby they established the Weather Modification Board. It came about because down in our county people were modifying the weather for hail suppression, and it got to the point where the farmers were shooting the airplanes.

Eventually, legislation was passed whereby we set up the Weather Modification Board, and those who modified the weather would get a permit to do so or not to do so. The board is under the auspices of the Secretary of Agriculture. Although the board has met, there have been no requests to modify the weather, but they are still doing it in Pennsylvania and our county. They dispose of fog at airports by weather modification. They have hail suppression through weather modification.

My amendment appropriates \$25,000 so this board that was established by law can meet and can have a hearing—they want a record of everything last year—whereby they would have hearings and call in some of the places of higher education who do research in weather modifying; maybe the airport operators.

Last year, Mr. Smith from Adams County introduced this piece of legislation whereby the department might operate and find out who is weather modifying, through these hearings which we hope to be held. The department placed each year a total of \$83,000 in their budget, the Agriculture Department. It got as far as the budget bureau. It was eliminated each year.

Mr. Smith last year put in the bill for \$25,000. It was set aside as money on which this board may have a hearing with subpoena powers to determine who may be weather modifying in Pennsylvania, whether it is over Lake Erie—which they do there for snow—or wherever it may be. It never passed the Senate.

Therefore, I have been asked by the board—and the Secretary of Agriculture is very much interested—that this money be made available, that they may enforce a law that we passed here and established a board, that they may operate, that they may come to a conclusion as to who is weather modifying or who is not obeying the law in Pennsylvania.

Mr. Speaker, climatic changes and modifying the weather has become big business in our country to the tune of hundreds of millions of dollars. We just fought a war in Vietnam. A part of it was to weather modify, making it rain and so on. I could go on and on and on. They do not know even the extent that pollution is derived from silver iodide being sprayed around. It could be done privately or it could be done by the millions of dollars of our United States Government, and we would like to have a hearing by this board to determine who in Pennsylvania is not abiding by the law, whether it is private or if it is those in government or if it is those in research in our educational institutions.

It is not very much. We merely want money to operate the department, to hold these hearings that we went on record to do last November. I ask for an affirmative vote by those present.

Thank you.

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

Mr. RITTER. Mr. Speaker, just last evening I watched a television news program and the Department of Transportation was on there. There was a gentleman on from the Department of Aviation. The Department of Transportation has a small, single-engine aircraft that they use, are using now, in trying to apprehend those who are attempting to modify the weather.

So I think there are state agencies already at work trying to take care of and to capture the same people that Mr. Shuman is talking about. I do not know what that expense is, but I am sure it is considerably more than \$25,000 and I think that we are doing something about it. I think we ought to defeat the amendment.

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

Mr. SHUMAN. That is the thing. They are not doing anything about it. It is lip service. This board wants to hold hearings so they may determine legally who is weather modifying in Pennsylvania.

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

Mr. WOJDAK. Mr. Speaker, I rise to oppose the amendment. The substance of Mr. Shuman's remarks is that he suspects there is a plot afoot to modify the weather in Adams County or other sections of Pennsylvania.

We have not been able to determine that. The Weather Modification Board has really never been funded. I do not see the necessity for funding it, and I would ask for a negative vote.

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

Mr. SHUMAN. Mr. Speaker, we do know they weather modify. That is not the problem. The only thing is to call them and subpoena them and find out who actually is doing it.

Years ago—Percy Foor knows this—they set up cloud-seeding in Fulton County and spewed the silver iodide in the air. We do know that through the insurance companies they could get cheaper insurance by having the hail-suppression program, which would not hurt the fruit. That is on the record. We do know that.

The only thing we want is for this department to operate. We established it by law. They would like to hold hearings and have some money to do the job. We do know they weather modify, but we would like to find out who is doing it.

The SPEAKER. The Chair recognizes the gentleman from Montour, Mr. Wagner.

Mr. WAGNER. I rise in support of this amendment, Mr. Speaker. We need more information on the processes which are admittedly influencing the weather and it is not intentional. I am referring now to power plants and the suggested clustering of power plants where they have admitted that these giant cooling towers and the water vapor emitted will have an effect on the weather. They do not know what. There are icing conditions alleged; there is increased moisture and the blocking out of the sun. This information is not available. I

would like it to be made available and I would hope this type of board would get it for us. Thank you.

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

The SPEAKER. The Chair is interrupting at this moment the debate on House bill No. 1336 because the voting apparatus has temporarily fallen to disrepair again.

### HOUSE BILLS SIGNED BY SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor and the same being correct, the titles were read as follows:

#### HOUSE BILL No. 118

An Act amending the "Local Government Unit Debt Act," approved July 12, 1972 (P. L. 781, No. 185), providing for exemption from department approval of bonds or notes or lease rental debt of fifty thousand dollars or thirty percent of the borrowing base, whichever is less.

#### HOUSE BILL No. 218

An Act amending the act of August 8, 1961 (P. L. 975, No. 436), entitled "An act defining milk and its derivatives, prohibiting its adulteration, regulating its labeling, sale and serving, imposing powers and duties on the Department of Agriculture, providing penalties and making repeals," further providing for definitions and providing for the establishment of standards for milk and dairy products.

#### HOUSE BILL No. 522

An Act amending "The General Appropriation Act of 1974," approved June 26, 1974 (No. 21-A), further providing for the use of certain appropriations.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### SENATE BILL SIGNED BY SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor and the same being correct, the title was publicly read as follows:

#### SENATE BILL No. 292

An Act authorizing the Borough of Shamokin Dam to transfer certain Project 70 lands in Snyder County to the Department of Transportation for a highway project under certain conditions.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

### BILL ON SECOND CONSIDERATION

Agreeable to order,

The House proceeded to second consideration of **House bill No. 1207, printer's No. 1657**, entitled:

An Act amending the "Pennsylvania Cigarette Tax Act," approved July 22, 1970 (P. L. 513, No. 178), changing provisions relating to payment of certain revenues.

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

Ordered, to be transcribed for third consideration.



**ANNOUNCEMENT BY SPEAKER**

The SPEAKER. The Chair has an announcement to make.

The Chair would like the House to know that the son of Representative Fred Trello of Allegheny County, Fred, Jr., has passed with honors from the first grade to the second grade and that his daughter Lily Beth has passed from the second grade to the third grade.

**MR. SULLIVAN REQUESTED TO PRESIDE**

The SPEAKER. Will the gentleman from Philadelphia, Mr. Sullivan, come to the desk for the purpose of temporarily presiding?

**THE SPEAKER PRO TEMPORE (Joseph A. Sullivan) IN THE CHAIR****PERMISSION TO ADDRESS HOUSE**

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

Mr. ZELLER. Mr. Speaker, it has been rumored by the Governor that he favors the liquor stores to be transferred into the retail grocery-store area under this franchise operation. Now it appears to me, being in contact with liquor store managers and operators and others in the LCB, that there is a psychological move afoot by the LCB in connection with the Governor's desires, and others, to keep the inventory down in the state stores to create a negative feeling against the state stores, since the public cannot get their favorite brand. Here is why:

The LCB sent out a notice back in April to all managers that they must keep their inventories down to a 1.1 ratio over previous months' sales, and this brings about empty shelves of popular brands and a disgruntled customer. Therefore, when the administration requests a referendum later on whether or not the state stores should be phased out into a private franchised retail operation, the public will be so disgruntled they could very well vote "yes."

Let us look at the record. LCB retail stores are the only department in the Commonwealth that makes a profit, averaging \$30 million a year in the past 10 years, whereas every other department in Pennsylvania has operated in a deficit and are always crying for more money. So, therefore, when you have a department that is in operation properly and with proper control over the sales to minors, rather than retail stores having open shelves and poor security to keep down the shoplifting and minors obtaining liquor, we would also lose a large, well-experienced group of state store employees.

Now, not that I am any kind of booze teetotaler, although I do not imbibe that much, but as a matter of fact, I am interested in this because it is the only department in the state that is really doing well.

I also plead with the state store employees not to go on strike this year under their new bargaining deal for certain benefits, because it appears they will not be honored. I hear they plan a strike, and I feel that a strike will further create this psychological bad feeling in the minds of the general public, and it would be against their best interests when that referendum comes up. This is going to be a bad move on their part, and I feel that all of us, if we care to have our liquor

stores as they are, should encourage our state employees to cool it for the simple reason that they are playing into the hands of this big movement to turn the liquor stores over to the retail division of grocery stores, and so forth.

So I feel that I would want to get this to the public, through this means here, to know my feelings and the feelings of many, many people throughout the state. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman and is very sorry that he does not imbibe.

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

Mr. BELLOMINI. Mr. Speaker, I am going to speak on the fact that Mr. Zeller has his facts all mixed up and it is his own personal view.

I do not think he can speak for the Governor, and the Governor stated around July of last year that he had no intention of moving or adjusting the Liquor Control Board or moving liquor into a private enterprise to different individual licensees.

I want to point out to Mr. Zeller that the clerks have met with the Governor in the past and have been assured that they were not to fear the fact that the Governor is working toward this policy.

We have a going business, Mr. Speaker. We are making a profit; we intend to keep it that way. I hope every member of this legislature understands that. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

For what reason does the gentleman from Lehigh, Mr. Zeller, rise?

Mr. ZELLER. Well, to comment on the statement by my good friend from Erie in regard to the fact that he said I have my facts all fouled up. I would like to explain them.

The SPEAKER pro tempore. The gentleman may proceed.

Mr. ZELLER. Thank you.

That is true, the Governor did meet with the employees, and that is what was said, but that is not always what is done. For example, I will give you an example of what is happening.

The information I received from the managers, the workers, and also members of the union of the retail workers, is that this is one of those quiet, psychological warfare deals; that the intent is to tell you one thing, and when that referendum comes up, under this so-called 1.1 ratio where the provisions are not on the shelves and a person comes in and asks for Windsor, a very popular brand, and cannot get it, or right now with summer coming on they cannot get certain gins, they are disgruntled. Therefore, this is a psychological warfare, saying, well, I did not do it. But it is being done, and this is the system. Regardless of what the gentleman said, this is what I get from the people who are in the business. They are there; they see it happening. And they are told that if they keep more than a 1.1 ratio, they will receive 2 weeks off without pay. That is what they are told.

I am very happy, though, that the gentleman is in favor of the move to keep the stores. I am happy about that, at least.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

Mr. BELLOMINI. I would like to respond that the deliveries have been late in the last few weeks because new contracts have been written; there are new bidders; there have been new corporations taking over the transportation; there is a complete audit right now throughout the state in every warehouse.

The delivery is commencing this week, and I imagine that every tavern, hotel, motel, is going to be in full swing within a couple of days. All the liquor is being replenished now, and it was the intent of the board to take a complete audit this month and it has been completed as of this week.

Hopefully, everybody who is in business got along fine. I do not think they had anything to worry about. The booze has been running, and they have been drinking.

Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

THE SPEAKER (Herbert Fineman) IN THE CHAIR

The SPEAKER. The Chair thanks the gentleman, Mr. Sullivan, for temporarily presiding.

HOUSE RETURNS TO AMENDMENTS ON HOUSE BILL No. 1336

The SPEAKER. The Chair has to return to the amendment offered by the gentleman from Franklin, Mr. Shuman. The Chair has been advised that the machine did not operate on recording the vote on Mr. Shuman's amendment.

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

The yeas and nays were required by Messrs. SHUMAN and WOJDAK and were as follows:

YEAS—88

Table listing names of members who voted 'YEAS' for House Bill No. 1336, including Anderson, J. H., Beren, Bittle, Brandt, Butera, Cessar, Cimini, Cole, Crawford, Cumberland, Davies, Davis, D. M., Deverter, Dietz, Dorr, Eckensberger, Fisher, Foster, A., Foster, W., Fryer, Gallen, Geesey, George, Giammarco, Gillespie, Gleason, Gring, Halverson, Hasay, Haskell, Hayes, D. S., Hayes, S. E., Hepford, Hill, Hopkins, Hutchinson, W., Kernick, Kistler, Klingaman, Knepper, Kusse, Lehr, Levi, Lynch, Manmiller, McClatchy, McCue, McGinnis, Mebus, Miller, M. E., Miller, M. E., Jr., Moehlmann, Mullen, M. P., Myers, Noye, O'Connell, O'Keefe, Pancoast, Petrarca, Pitts, Polite, Pyles, Renwick, Scheaffer, Schweder, Scirica, Seltzer, Shelhamer, Shuman, Smith, E., Smith, L., Spencer, Stahl, Tayoun, Turner, Ustynoski, Vroon, Wagner, Weidner, Westerberg, Whelan, Whittlesey, Wilt, R. W., Wilt, W. W., Worrilow, Yahner, Yohn, Zearfoss.

NAYS—93

Table listing names of members who voted 'NAYS' for House Bill No. 1336, including Abraham, Arthurs, Barber, Bellomini, Bennett, Berlin, Berson, Blackwell, Garzia, Geisler, Green, Greenfield, Hammock, Hutchinson, A., Irvis, Ikin, Morris, Mrkoncic, Mullen, Musto, Novak, O'Donnell, Oliver, Parker, H. S., Shane, Shelton, Shupnik, Sirianni, Stapieton, Stout, Sullivan, Taddonto.

Table listing names of members who were present but did not vote, including Bonetto, Bradley, Brunner, Burns, Cowell, DeMedio, Dicarlo, DiDonato, Dombrowski, Doyle, Dreibelbs, Englehart, Fee, Fischer, Flaherty, Gallagher, Johnson, J., Kelly, A. P., Kelly, J. B., Kolter, LaMarca, Laughlin, Lederer, Letterman, Lincoln, Manderino, McCall, McLane, Menhorn, Milanovich, Milliron, Misceovich, Perry, Plevsky, Pratt, Prendergast, Rappaport, Reed, Renninger, Rhodes, Richardson, Rieger, Ritter, Romanelli, Ross, Ruggiero, Saloom, Schmitt, Taylor, Toll, Trello, Vann, Wansacz, Wargo, Wilson, Wojdak, Wright, Zeller, Zord, Zwick, Fineman, Speaker.

NOT VOTING—22

Table listing names of members who did not vote, including Caputo, Cohen, Dininni, Fawcett, Gillette, Gleeson, Goodman, Grieco, Hamilton, J. H., Katz, Kowalshyn, Laudadio, McGraw, McIntyre, O'Brien, Perri, Ryan, Salvatore, Sweeney, Thomas, Valicenti, Walsh, T. P.

So 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 as amended on third consideration?

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

- Amend Sec. 2, page 3, line 22, by striking out "2,688,-000" and inserting: 2,088,000
Amend Sec. 2, page 3, line 25, by striking out "17,184,-000" and inserting: 15,932,000

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

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

Mr. TAYOUN. Mr. Speaker, this amendment is unique inasmuch as it seeks to trim the budget a tiny bit. It deals with section 2, page 3, the Governor's Council on Drug and Alcohol Abuse. It reduces \$600,000 from line 22 which deals with administration, and \$1,225,000 from line 25 which deals with programming.

The Governor's council's budget last year was \$18,-670,000. This would call for a net reduction from that budget of \$638,000, or less than a 3-percent reduction overall.

I am asking for this for one of many reasons. Over the past several months I have received many letters, some complaints, concerning the operation of the Governor's council and I would like to mention one in passing.

Pennsylvania Hospital recently received a 4-year grant for teaching affluent physicians, who have the money to go to school on their own time, how to diagnose and treat alcoholics. At the same time there are several similar programs for graduate students and seminary students who have applied but are unable to secure funds from the same council for teachers' books, et cetera.

I believe priorities have been turned around in that council. And until I am satisfied, I, as a legislator, am asking the rest of us in this room to remind them they have to answer to someone in toto, and I am asking support for this cut.

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

Mr. WOJDAK. Mr. Speaker, I rise to oppose Mr. Tayoun's amendment.

This department had received only a 6-percent in-

crease in general government as opposed to 8 and 9 per- cents in other areas. They received one of the smallest cuts in this new budget.

What Mr. Tayoun would do by virtue of these amend- ments, by decreasing the amount in that first section by \$600,000—this is the section that deals with the admin- istration of drug and alcohol councils in the statewide programs—is really an excessive cut, and it will cut into the program so severely that it would involve laying people off in, what I consider, a very needed program.

The second section of Mr. Tayoun's amendment is really severely cutting in, and I believe the amount is \$1.2 million. That cut would wipe out many county drug programs, and I am certain that many—and I do not know how many exactly would go so far but many— would have to close. The cuts are very severe, and I recommend that the amendments be defeated.

The SPEAKER. The Chair recognizes the lady from Chester, Mrs. Crawford.

Mrs. CRAWFORD. Mr. Speaker, I would like to rise to oppose this amendment. I think we should look back to a few years ago and remember the horrible drug problem that we had with our young people, particularly in high schools and even grade schools. The problem has not gone away, but we have been able to help the problem by establishing these programs that are funded through the Governor's Council on Drug and Alcohol Abuse.

I know in Chester County we have had great success with the programs that we have been able to institute in order to help these people through the Governor's council, so I urge opposition to this amendment.

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

The yeas and nays were required by Messrs. TAYOUN and WOJDAK and were as follows:

YEAS—45

Bonetto	Giammarco	McIntyre	Shelton
Brandt	Gillespie	Miller, M. E., Jr.	Shuman
Cohen	Gring	Mrkonic	Stahl
Davies	Hasay	Mullen, M. P.	Sullivan
Davis, D. M.	Hill	Myers	Tayoun
Deverter	Hopkins	Novak	Vann
DiDonato	Hutchinson, W.	Noye	Vroon
Dorr	Johnson, J.	O'Keefe	Wagner
Dreibelbis	Klingaman	Pitts	Whelan
Fisher	Kusse	Pyles	Whittlesey
Foster, A.	Letterman	Saloom	Zeller
Gallen			

NAYS—145

Abraham	George	McGinnis	Schweder
Anderson, J. H.	Gillette	McLane	Scirica
Arthurs	Gleason	Mebus	Seltzer
Barber	Goodman	Menhorn	Shane
Bellomini	Green	Milanovich	Shelhamer
Bennett	Greenfield	Miller, M. E.	Shupnik
Beren	Grieco	Milliron	Sirianni
Berlin	Halverson	Miscevich	Smith, E.
Berson	Hamilton, J. H.	Moehmann	Smith, L.
Bittle	Hammock	Morris	Spencer
Blackwell	Haskell	Mullen	Stapleton
Bradley	Hayes, D. S.	Musto	Stout
Brunner	Hayes, S. E.	O'Brien	Taylor
Burns	Hepford	O'Connell	Toll
Butera	Hutchinson, A.	O'Donnell	Trello
Cessar	Irvis	Oliver	Turner
Cimini	Itkin	Pancoast	Ustynoski
Cole	Katz	Parker, H. S.	Valicenti
Cowell	Kelly, A. P.	Perry	Wansacz
Crawford	Kelly, J. B.	Petrarca	Wargo
Cumberland	Kernick	Pievsky	Weidner
DeMedio	Kistler	Polite	Westerberg
Dicarlo	Knepper	Prendergast	Wilson

Dietz	Kolter	Reed	Wilt, R. W.
Dombrowski	Kowalshyn	Renninger	Wilt, W. W.
Doyle	LaMarca	Renwick	Wojdak
Eckensberger	Laughlin	Rhodes	WorriLOW
Engelhart	Lederer	Richardson	Wright
Fee	Lehr	Rieger	Yahner
Fischer	Levi	Ritter	Yohn
Flaherty	Lincoln	Romanelli	Zearfoss
Foster, W.	Lynch	Ross	Zord
Fryer	Manderino	Ruggiero	Zwilk
Gallagher	Manmiller	Ryan	
Garzia	McCall	Salvatore	Fineman,
Geesey	McClatchy	Scheaffer	Speaker
Geisler	McCue	Schmitt	

NOT VOTING—13

Caputo	Laudadio	Pratt	Taddonio
Dininni	McGraw	Rappaport	Thomas
Fawcett	Perri	Sweeney	Walsh, T. P.
Gleeson			

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

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

Mr. WOJDAK. Mr. Speaker, I have no copy of a DiDonato amendment. I was wondering if it was circulated.

The SPEAKER. Is the amendment being offered by the gentleman, Mr. Myers?

Mr. MYERS. Yes, Mr. Speaker.

The SPEAKER. Does the Appropriations chairman have a copy of that amendment?

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The clerk will read the amendment now being offered by the gentleman, Mr. Myers.

Mr. MYERS. Mr. Speaker, I have two amendments. Do you want to take them both now?

The SPEAKER. Send both amendments to the desk. We will take one at a time.

Mr. MYERS. Okay.

On the question recurring,

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

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

Amend Sec. 2, page 38, by inserting between lines 22 and 23: Assistants for House members in home district. (These funds shall not be disbursed except for one full-time assistant to serve in the home district of each member.) ..... 1,624,000

On the question,

Will the House agree to the amendment?

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

Mr. MYERS. Mr. Speaker, the first amendment would amend section 2, page 38, by inserting between lines 22 and 23: "Assistants for House members in home district. (These funds shall not be disbursed except for one full-time assistant to serve in the home district of each member.)" Dollarwise this would amount to \$1,624,000.

The reason behind introducing this amendment is this: In my home district I went to the expense, my own personal expense, of providing myself with a district office which presently right now has two locks on it because I am up here, and it is depriving my constituents back home from services that I feel I could provide. I think it is about time that the members in this House

stand up and give ourselves what we need back in our home districts.

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

Mr. WOJDAK. Mr. Speaker, I cannot disagree that the amendment is for a very credible purpose. The problem is we just do not have the money. It is very difficult for me or any member to justify this kind of expenditure for our purposes when we, in fact, are cutting back on various needed programs in the Commonwealth and cutting rather severely some other programs. So I would have to ask for a negative vote.

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

Mr. DiDONATO. Mr. Speaker, I have heard a great many of our members speak out in favor of creating jobs throughout this grand and glorious state of ours. They have a wonderful opportunity at this time to up and create 203 jobs. I urge them to support this amendment. Thank you.

The SPEAKER. That is a different approach.

The Chair recognizes the gentleman from Philadelphia, Mr. Greenfield.

Mr. GREENFIELD. Mr. Speaker, I do not want to interfere with the employment problem, but I want to agree with the Appropriations Committee chairman on this point. Not only do we not have the money, but we do not have the place to put the assistants. I would like to ask the sponsor of the amendment where he intends the assistants to work.

Mr. MYERS. Mr. Speaker, where is your home office located now? In your home?

Mr. GREENFIELD. In the basement of my house, but I think that is a very inconvenient place to put an assistant to operate.

Mr. MYERS. Well, that is where you put your assistant.

Mr. GREENFIELD. Mr. Speaker, I think that the amendment has merit. However, I think until we have sufficient funds to supplement the amendment with a suitable location for a constituency to come to the legislator's particular office, we cannot consider the amendment on that basis.

I think we should look forward in this legislature to the time that we can introduce adequate and sufficient legislation which will provide a home office and an assistant to man it. But I think this kind of amendment is a halfway measure and I do not think it would prove adequate, Mr. Speaker. I would oppose the amendment.

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

Mr. TAYOUN. Mr. Speaker, in answer to Mr. Greenfield, you take one small step at a time. I, for one, am in a more fortunate position than some colleagues. I have been able to staff an office on a year-round basis at no expense to the state but at great expense and hardship at times to myself.

I think this is extremely necessary because I have found the use of an aide, an assistant, in a home office on a daily basis extends your ability to serve your people a thousandfold; in fact, 700-fold if you count every day of the week. I urge the recommendation of the entire floor for this amendment.

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

Mr. USTYNOSKI. Mr. Speaker, since I have been a member of the legislature, I would say the subject that I think occurs to me most often is how the members shortchange themselves constantly. Back in my district I take 2 or 3 days a week to interview constituents. And as they come into my office, I ask them if they are aware that this is not a legislative district office, that we do not have a telephone; we do not have a secretary; we do not have a duplicating machine; we have no tools with which to work.

I wish that all my constituents could hear my remarks on the floor today, because I do not think I would lose one vote back in my area by supporting this measure.

This subject, every time it comes up, is a matter that we all take lightly, that we laugh about. And the ones who suffer are not us; the ones who suffer are our constituents. We cannot be back in our district and we cannot be here on the floor and we cannot be servicing our constituents properly unless we have proper staff.

If I were a dentist, I would not want to greet the people at the door, make appointments, make the necessary phone calls, attend to the person who is there for medical attention. Yet we have to in the legislature.

If we wanted to take care of our constituents, we would take the building on the south side of us and provide decent office space. We should look to California and streamline this legislature and take the good that they have done. They have twice as many constituents and yet they have only 80 members. We confront ourselves with reducing the size of the legislature and we do not adequately provide staff.

There will be a day—maybe not today, but there will be a day—when the men in this hall vote themselves what they deserve. I hope it is soon.

I support this measure, and I think every member should support this measure and send it over with 203 votes, and then look for further improvement, because if we improve our own status, we are going to be a better legislature and the people of Pennsylvania are going to be better represented.

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

Mr. VANN. Mr. Speaker, there is an old saying that he who is not interested in himself does not deserve anything, and I believe firmly that if ever there was an amendment that we should pass today, this amendment is deserving of all our votes.

I have to take us back a few years when the bugaboo was thrown in the eyes of the members when we were wooed to pass a tax increase, an income tax, and in that budget there was an item which told every legislator in this House at that time that they would be provided with an office in their district and a secretary at paid expense by the Commonwealth of Pennsylvania. Now this was certainly something that was deserving of all of us, and we who voted for that tax very naively went along—and I am one who is included—and voted for that, because certainly all of us need an efficient office in our own home district.

We voted for it; we passed it over to the Senate, and the Senate voted for it. But, lo and behold—and I care not how this statement is taken—when it came time for my Governor and our Governor to okay this item, he

blue-penciled that item for us and we were left holding the bag, and those of us who cast our vote for an income tax were left without an office and a secretary.

Today we have an opportunity to get only a secretary. We are not asking for an office, and certainly this is needed. In my district people call me continuously, and I have no office in my district and I have no secretary in my district. People continuously call me and say, we cannot contact you. There are those who believe that we do have secretaries and that we do have offices in our district. This, of course, we know is not true.

I ask all of us here, what is so wrong with this amendment? Are we not entitled, as qualified, efficient, intelligent legislators, to have a secretary at the menial salary of \$8,000? Certainly we are.

And I see no reason, regardless of retrenchment—and I have cast many a vote here today to cut down and to retrench—that this will cost the Commonwealth so much added expense. It is so essential to us and I ask you to think of this and vote affirmatively on this amendment.

Thank you.

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

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

I rise very reluctantly to speak against this amendment, only because I think it is grossly ill-timed. I think it has a great deal of merit, but on a day when we are telling welfare recipients that we do not have enough money to really give them what we all admit is their just due so that they can live decently; on a day when we are telling a lot of state employes that we do not have the money to really give them the raises that they seek and that perhaps many of us think they really deserve; on a day when we are telling universities and a lot of institutions across the state that it is time to retrench; and, really, on a day when I myself a little bit later on will offer some amendments to ask our own bureaucracy statewide to retrench, I do not think that I can, in good conscience, out of the blue, vote for this particular amendment, although again, as I said, I think it has much merit.

I think that all of the things we try to do here today or tomorrow will simply be overlooked in the newspapers. The only thing we are going to hear about is the greedy legislators who put their hands in the public's pocket again and took for themselves and ignored the needs of a lot of other people.

There are a couple of ironic things about this entire situation that I would like to comment about.

The media and our constituents demand full-time legislators. I am a full-time legislator. When I came up here 5 months ago, I resigned my position to do this on a full-time basis, as did many of the 44 new people and as have many of the individuals who have been here in years past. The media and constituents demand service; they demand or indicate that they would like an office in the district.

As of several weeks ago, I opened what I call a legislative service center in my district, not because we had the extra funds out of the \$5,000, because I spend that to live here and to commute and to cover the mailing in my district, which is really a couple thousand dollars, out of my pocket, as is the case with each of you, a point that goes ignored many times. It is really kind of

stupid when you get down to it. I and many of us have offices at home that are unmanned. They are not true legislative service centers or whatever you care to call them. They could be that in the truest sense of the word if we were able to adopt this amendment today. I believe the cost of this amendment would be about \$1,500,000. If we adopt that today or tomorrow, we are going to be roundly criticized for it, again, really because we are trying to do a better job.

Another irony is this: In this budget, under the House of Representatives, on two line items, there is already a \$1.6-million increase under salaries for employes and officers and other legislative expenses. Now the public will ignore that fact, though. It is a lot easier to go in the back door, I guess, than to try to be honest and to try to be forthright.

We try, as I am sure Mr. Myers is trying to do, to improve our ability to provide services to our constituents and to provide meaningful services throughout this state. As I said, I wish that we had an opportunity to take this up at some other time on some other day when we were not so clearly telling so many other people, we do not have the money to help you. I fear that if we adopt this amendment—and I very much would like to—it would be totally misperceived; our intent would be lost; and all the other things that we are trying to do to come up with a fiscally responsible budget this year would be lost on the public. Therefore, I very reluctantly must vote against the amendment.

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

Mr. REED. Mr. Speaker, in part, Mr. Cowell's argument is that the expectations upon us are such that, while we would like to do it, we ought not to.

I will take the first half of that to say that because of the expectations that are upon each one of us representing about 58,000 people, that that alone should suffice as reason to support this amendment, which I intend to do.

The day that all of us took our oath of office at noon in this chamber, at 10 o'clock that morning, January 7, I cut the ribbon several blocks from here, as some of you know, to open a full-time district office that is staffed by a cadre of 27 volunteers.

Monday through Friday that office is open from 9 in the morning until 9 at night, and on Saturday, 10 to 1 o'clock. We are even there on Sunday, even though officially we are not open.

Now in addition to the fact that I have obviously involved citizens from this area as volunteers, I can very forthrightly attest to the necessity of having a full-time assistant simply because of the deluge of phone calls and letters and visits. My duties on capitol hill and in the various committees of which I am a member are such that they prevent me, individually and personally, from engaging in each one of those matters that come to my attention. No matter what kind of district each one of us comes from, we have both those individual requests and, generally speaking, we have a lot of expectations placed upon us.

Many members of the public in this area, not just members or constituents in my district, are surprised to learn that we do not get individual staffs, with the exception of those who are in the leadership of the majority and minority who obviously have a staff because of that

position which the rest of us do not have. None of us has a secretary, with the exception of the leadership, assigned to us individually. We must share that secretary-stenographer with someone else.

Frankly, I do not know too many members of the House—I do not know any members of the House, for that matter—who can keep up with the business at hand.

Each one of us, all 203, is in a perfect position to serve, so to speak, as an outreach field worker in our respective districts for the whole gamut of government services which we have initiated and which we fund, both Federally, but more importantly, those that are Commonwealth services.

A full-time assistant makes it possible for us to service our district from Harrisburg to that district, as well as to handle all of the inquiries, complaints and problems that are presented to us from the district to here.

I live in Harrisburg and I am a little better able to take care of district business and be available to see my constituents at the same time that I attend to my capitol hill business. Most of you in this room could not possibly do that because your districts are too far away.

I would think it incumbent upon us to support this amendment. Even though, obviously, we did not know this amendment was coming up until yesterday or today, I think the timeliness of this amendment is very real; it is very appropriate. I intend to support it and I do not think that I even have to make a pitch specifically to freshman members who know the need to service the public. All of us know that need or we would not be sitting here. Thank you.

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

Mr. DiDONATO. Mr. Speaker, I heard a minute ago one of my colleagues say that we would be criticized if we had a secretary on a full-time basis. I doubt it very much. Our state senators have a full-time secretary and I do not see anyone criticizing them. The Congressman has a full-time secretary and an entire office staff. We have no one. I urge each and every one of our members to support this amendment. Thank you.

The SPEAKER. The Chair recognizes the gentleman Schuylkill, Mr. Hutchinson.

Mr. W. D. HUTCHINSON. Mr. Speaker, there is a saying among lawyers and judges and those interested in the administration of justice that it is important not only that justice be done but that it be seen to be done. And it would not be seeing that it be done if today, when we are cutting back these services because of the fiscal crisis that we are faced with, we voted ourselves this increase. I think the business of this House is to pass a budget to help the people of Pennsylvania. I suggest we get on with that rather than stand here and recite what we do for our constituents. The best thing we can do for them is to get this budget passed. Thank you.

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

Mr. HAMMOCK. Mr. Speaker, I just wanted to say that I anticipate that this amendment will probably be defeated, but I just wanted to add my comments. I do not think I could improve upon what has been said,

but I wanted to address my comments to the leadership on both sides of the aisle.

I think that some steps have been really taken in the last several years, since I have been a member of this House, to improve the quality of this General Assembly. I really believe that the Pennsylvania legislature is starting to come out now from the dark ages that we have lived in over the last several years or many years in this state. There have been many, many efforts to improve the quality of the Pennsylvania General Assembly. But until the individual members have the ability to service their constituents back in their districts, we are not going to be the kind of legislative body that we need to be.

So even if this amendment is defeated, I hope that our leadership on both sides of the aisle will, at some point, come together and give individual members the kind of staff that they need back in their districts, especially next year, in 1976, because if the trend continues and the economic crisis continues, we are going to have a lot of people looking for us and we had better have an office and a secretary who can pick up the phone and answer as to what we are doing.

Thank you.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. O'Connell.

Mr. O'CONNELL. Mr. Speaker, I am going to support this amendment only to display my interest in it. I really believe it is a step in the right direction.

I would like to see it changed or altered just a little bit. I would like to see an appropriation of about this amount of money made available on a voucher basis so that the members would have some latitude so that they might be able to use it for office rent, they might be able to use it for secretarial help, they might be able to use it for postage and other things that are important to them in performing their duties.

I would like to tell you that I have an office at home, a full-time office. My family has been involved in it to a great degree up until this point. But because of a recent setback, I do not intend to do that again. I think it is absolutely unfair to either harass the member or to drive him to that point, or to torment his family. I think they need a little relief.

I have been a long time coming to this point, but as far as I am concerned, that time has arrived. I think it is time that we stood up and got the kinds of things we need to have to do the kinds of jobs we are expected to do.

I would vow that there is not a single person in my legislative district who would take that out of my hide on election day. If they do, God bless them.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. MYERS and WOJDAK and were as follows:

YEAS—50

Bennett	Lederer	O'Donnell	Shelhamer
Beren	Lynch	Perry	Shelton
Butera	McClatchy	Pratt	Sullivan
Cohen	McCue	Prendergast	Tayoun
DiDonato	McGinnis	Reed	Vann
Dreibelbis	McIntyre	Renninger	Wansacz
Giammarco	Mebus	Rhodes	Weidner
Gillespie	Milliron	Rieger	Westerberg

Hammock	Miller, M. E., Jr.	Ross	Wilson
Hasay	Mullen, M. P.	Ryan	Wilt, R. W.
Haskell	Musto	Ustynoski	Wilt, W. W.
Hill	Myers	Schweder	WorriLOW
Johnson, J.	O'Connell		

NAYS—138

Abraham	Fryer	Levi	Scirica
Anderson, J. H.	Gallagher	Lincoln	Seltzer
Arthurs	Gallen	Manderino	Shane
Barber	Garzia	Manmiller	Shuman
Beilomini	Geesey	McCall	Shupnik
Berlin	Geisler	McLane	Sirianni
Berson	George	Menhorn	Smith, E.
Bittle	Gillette	Milanovich	Smith, L.
Bonetto	Gleason	Miller, M. E.	Spencer
Bradley	Goodman	Miscevich	Stahl
Brandt	Greenfield	Moehimann	Stapleton
Brunner	Gring	Morris	Stout
Burns	Halverson	Mrkonic	Taddonio
Cessar	Hamilton, J. H.	Mullen	Taylor
Cimini	Hayes, D. S.	Novak	Toll
Cole	Hayes, S. E.	Noye	Trello
Cowell	Hepford	O'Brien	Turner
Crawford	Hopkins	O'Keefe	Valicenti
Cumberland	Hutchinson, A.	Pancoast	Vroon
Davies	Hutchinson, W.	Parker, H. S.	Wagner
Davis, D. M.	Irvis	Pievsky	Walsh, T. P.
DeMedio	Itkin	Pitts	Wargo
Deverter	Kelly, A. P.	Petrarca	Whelan
Dietz	Kelly, J. B.	Polite	Whittlesey
Dombrowski	Kernick	Pyles	Wojdak
Dorr	Kistler	Oliver	Wright
Doyle	Klingaman	Rappaport	Yahner
Eckensberger	Knepper	Richardson	Yohn
Englehart	Kolter	Ritter	Zearfoss
Fee	Kowalyshyn	Romanelli	Zeller
Fischer	Kusse	Ruggiero	Zord
Fisher	LaMarca	Saloom	Zwikl
Flaherty	Laughlin	Scheaffer	
Foster, A.	Lehr	Schmitt	Fineman,
Foster, W.	Letterman		Speaker

NOT VOTING—15

Blackwell	Fawcett	Katz	Salvatore
Caputo	Gleeson	Laudadio	Sweeney
DiCarlo	Green	McGraw	Thomas
Dininni	Grieco	Perri	

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I voted in the negative on the amendments. There were a number of leaders who voted in the negative. I think I may speak for them and I think I ought to.

We have not been heedless of the problems which were discussed concerning the amendments; we are not heedless of those problems now. We do think we may have found a method of solving the problem. We will get back to you about that method shortly.

Thank you, Mr. Speaker.

QUESTION OF PERSONAL PRIVILEGE

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

Mr. DiCARLO. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. DiCARLO. Mr. Speaker, my switch was locked. I would like to be recorded in the negative on the Myers amendment to House bill No. 1336.

The SPEAKER. The gentleman's remarks will be noted for the record.

On the question recurring,

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

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

Amend Sec. 2, page 20, by inserting between lines 7 and 8:  
For Cooley's anemia research ..... 75,000

On the question,

Will the House agree to the amendment?

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

Mr. MYERS. Mr. Speaker, this amendment would appropriate \$75,000 to the Department of Health for Cooley's anemia research.

I think if I may interrogate Mr. Wojdak, I may not have to offer this.

The SPEAKER. Will the gentleman, Mr. Wojdak, consent to interrogation?

Mr. WOJDAK. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. MYERS. Mr. Speaker, is there anything in the making to provide some funding for Cooley's anemia research? Could you give me anything on that?

Mr. WOJDAK. Mr. Speaker, there is presently in the Appropriations Committee a special piece of legislation that, in fact, is on our agenda for our next meeting, giving the enabling authority to the Secretary of Health to use funds for Cooley's anemia research. The amount in the bill is \$120,000 or roughly \$45,000 more than what Mr. Myers is attempting to do here.

What I would suggest to Mr. Myers is that he withdraw this amendment and let us move that special piece of legislation in the Appropriations Committee.

AMENDMENT WITHDRAWN

Mr. MYERS. Mr. Speaker, at this time I would like to withdraw this amendment.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

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

Amend Sec. 2, page 15, by inserting between lines 1 and 2:

For payment of all past due required contributions into the Contingent Reserve and Supplemental Accounts of the Public School Employees' Retirement Fund ..... 81,000,000

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Kistler.

Mr. KISTLER. Thank you, Mr. Speaker.

This amendment would amend section 2, page 15, by inserting between lines 1 and 2 the following words: "For payment of all past due required contributions into the Contingent Reserve and Supplemental Accounts of the Public School Employees' Retirement Fund ..... 81,000,000."

Several years ago, as a member of the Appropriations Committee, I interrogated the Secretary of Education to the effect as to why he did not comply with the law and deduct from the Philadelphia school district's reimburse-

ment fund the sum that it had not, in turn, remitted to the teachers' retirement fund, which was something more than \$9 million.

At that time the secretary expressed his opinion that he had a "may" bill right to do this, but I disabused him of that. In the current year I reiterated the questioning, and this time he told me that he did not deduct this amount of money again from the Philadelphia school district on the advice of his counsel.

Those who are learned in the law know that this was a safe maneuver for the secretary to take in order to avoid the responsibility of not following the mandate of the law which said that he "shall" make this deduction.

I thereupon advised the secretary that I would advise my districts to do the same thing. What was good for Philadelphia—and I was not faulting them—that is, namely, to borrow \$9 million without interest, was good for other districts. And my districts, in some cases, followed this.

Now I am advised as of June—and I would respectfully suggest to the members that you listen so that you might know what is going on in your districts; you may not know—for instance, that from the June reimbursement to the school districts, the Secretary of Education withheld:

From Philadelphia City \$9,616,883.55;

From the Deer Lakes District in Allegheny County, \$707,911;

From the Babcock District in Allegheny County, \$58,881;

From the Steel Valley District in Allegheny County, \$103,383;

From the Leechburg Area District in Armstrong County, \$36,802;

From the Midland Borough District in Beaver County, \$35,217;

From the Schuylkill Valley District in Berks County, \$42,106;

From the Tyrone Area District in Blair County, \$36,680;

From the Centennial District in Bucks County, \$160,320;

From the Portage Area District in Cambria County, \$30,819;

From the Penns Valley District in Centre County, \$36,805;

From the Octoraro Area District in Chester County, \$114,160;

From the Pennscrest District in Crawford County, \$118,491;

From the Mechanicsburg Area District—in Mr. Scheaffer's district—in Cumberland County, \$74,510;

From the Lakeland District in Lackawanna County, \$28,580;

From the New Castle Area District in Lawrence County, \$153,400;

From the Salisbury Township District in Lehigh County, \$45,140;

From the Williamsport Area District in Lycoming County, \$190,695;

From the Bethlehem Area Northampton District, \$352,658;

From the Newport District in Perry County, \$22,464;

From the Northern District in Potter County, \$34,793;

From the Myersdale—

#### POINT OF ORDER

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

Mr. LETTERMAN. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. LETTERMAN. Mr. Speaker, will you please instruct Mr. Kistler to just get on with the amendment? We cannot remember any of these figures anyhow. If he has a point to make, let him make it so we can get to the vote.

The SPEAKER. Can the gentleman, Mr. Kistler, submit the record of those withholdings for the record rather than to recite them at length?

Mr. KISTLER. Mr. Speaker, there are just a few more to go, and the figures are important to the individuals. You only are interested in your own district.

The SPEAKER. Will the gentleman proceed?

Mr. KISTLER. From the Myersdale Area District in Somerset County, the secretary withheld \$22,303;

From the Southern Tioga District in Tioga County \$58,746;

From the Mifflinburg Area District in Union County \$32,953;

From the Norwin District in Westmoreland County \$130,121;

From the Tunkhannock District in Wyoming County \$67,760;

From the Radnor District in Delaware County, \$74,255

From the General McLane District in Erie County \$31,345;

From the Girard District in Erie County, \$105,157;

From the Millcreek Township District in Erie County \$162,282;

From the Wattsburg Area District in Erie County \$40,530;

From the Connellsville Area District in Fayette County \$137,305;

From the Frazier District in Fayette County, \$31,681 and

From the Pittsburgh City District in Allegheny County \$270,159, for a total of \$12,587,419.

The point that I am trying to make, Mr. Speaker—and I do not rise to this microphone too often—is that I think it is very important for you to know that the state is delinquent in its payment into this retirement fund and has been for some 10 years, at times to the extent of about \$100 million.

Our current indebtedness to this fund today is about \$81 million. We have made two payments on that deficit. We were told yesterday and today that there is money in the budget, one, in the form of the recently discovered surplus; and, second, in the form of moneys in the so called parent reimbursement fund.

To the extent that you put items in the budget that recur next year, you will be short these. If you pay indebtedness which will be nonrecurring, at least in the case of the school retirement fund, you will make this money available to the retirement fund to keep it on a sound actuarial basis through the earnings that they will make on the investments that they ought to be making with funds that have been withheld from them. I am short, Mr. Speaker, I am simply saying that we ought to do what is right to the school teachers' retirement fund in order that it can fulfill its commitment.



I suppose that this is asking too much, because you can tell by the deportment of the House that we can get into big arguments over small matters. This is a big matter, and we have difficulty getting the respect and the attention of the House, which is seemingly a shame for this chamber.

I would conclude my remarks, Mr. Speaker, by asking those of you who have a moral sense and a sense of responsibility to put your mouths where your head ought to be and vote for this amendment.

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

Mr. WOJDAK. Mr. Speaker, I want to stress to everyone that the amount of this amendment is \$81 million.

Now the background on this—and I am sure many of you are aware of it—for those who are not aware of it, an audit had been conducted of this fund several years ago, and it was discovered that there was a gross error in the fund. We recognize the error and the only sane way to handle the error is over an extended period of time. By agreement, we have been putting in amounts of \$10 million per year to bring the fund up to par since we discovered the error.

Last year the amount which was put into the fund was \$5 million. We are carrying that same logic through this year by putting in \$5 million in the hope of bringing this fund up to its proper level over an extended period of time.

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Kistler.

Mr. KISTLER. Mr. Speaker, I would like to correct the gentleman. There have been only two payments made to this fund; one of \$4 million and one of \$5 million, which is \$9 million.

What I am trying to say to you is that if we have surplus funds, there is no better place to dispose of these than in a way that they become nonrecurring budgetary items in the ensuing year. This is what I am suggesting that we do.

The SPEAKER. The Chair recognizes the gentleman from Lebanon, Mr. Seltzer.

Mr. SELTZER. Mr. Speaker, there is no question that if this amendment of \$81 million were adopted, and this were the only action taken, there would not be sufficient revenues, according to the Appropriations Committee chairman, to pay for this.

But I think it is very important that we look at this proposed amendment of Mr. Kistler's in light of the entire budget which is being presented to us. The budget as presented to us has been changed considerably from what was presented to us by the Governor, with additional revenues as have been projected by the Appropriations Committee—additional lapses, increased revenues for next year, and potential cuts in the budget as presented by the Governor.

As I listened all of yesterday and today, I feel that this House has a sincere desire to hold down spending, but I do not know whether they are going to be successful in holding down spending. It would appear that the budget which is finally going to be before us is going to be, in my opinion, not fiscally sound, because the Appropriations Committee has changed four major areas to come up with a proposed balanced budget and also

has taken into consideration the transfer of \$169 million from the cigarette fund.

Mr. Speaker, when we used that money to balance the budget from the cigarette fund for ongoing spending programs, we locked ourselves into finding next year another \$169 million from other sources plus the additional cost of those programs which we have spent them for this year, the additional cost which will be on those programs next year.

So I am suggesting to you that the \$169 million which we spend for ongoing programs this year will cost us \$200 million next year. Since none of this money will be recurring, we will have to find \$200 million to replace it.

What the gentleman from Cumberland, Mr. Kistler, is suggesting is that we take \$81 million of that \$169 million and put it into a one-shot-and-done spending program. This is the least expensive way we have of spending money—to spend it for programs which are once and done. The most expensive way we have of appropriating here is to put it into programs that escalate tremendously over the years to come.

So if you vote to support this amendment today, you should, in good conscience, be willing to support House bill No. 1207 tomorrow and not let it be spent for ongoing programs. There should be a concerted effort made to utilize all or as much of that \$169 million for other one-shot-and-done programs.

Many members felt, I am sure, that when Mr. Kistler was presenting his amendment that it was farfetched, that it did not make sense. This is probably one of the most important decisions you will have to make today on an amendment, but it is tied in to what will go on tomorrow when House bill No. 1207 will be before you.

I can only ask you to remember, when you lock yourselves in by spending the \$169 million for ongoing programs, that this General Assembly, this House of Representatives, and we individually have locked ourselves in to finding an additional \$200 million next year from other sources.

Mr. Speaker, I am going to support this amendment of Mr. Kistler's today and also the proper bill tomorrow. Thank you.

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

Mr. GALLEN. Mr. Speaker, would Mr. Wojdak consent to interrogation?

The SPEAKER. Will the gentleman, Mr. Wojdak, consent to interrogation?

Mr. WOJDAK. I shall.

The SPEAKER. The gentleman may proceed.

Mr. GALLEN. What is the amount of the deficit in the teachers' retirement fund?

Mr. WOJDAK. I do not know the exact figure.

Mr. GALLEN. It is roughly between \$81 and \$100 million.

Mr. WOJDAK. That is correct.

Mr. GALLEN. What is the yield from that fund? I forget those figures. They were given to us. It is something like 6 percent, is it not?

Mr. WOJDAK. Again, I am guessing. I would say—

Mr. GALLEN. Well, let us guess that it is 6 percent. I do not know what it is either, but let us say that there is a \$90-million deficit. If we pay \$5 million, we are not even paying that interest. We are slipping back in

that fund. That \$5 million will not even pay the interest that the \$90 million should be earning this year.

Mr. Speaker, I think this is a travesty. We had agreed several years ago in the Appropriations Committee to put a figure of something like \$10 million into that fund each year. The Governor's proposed budget had no dollars—zero—to repay that fund. I think that we are not acting in good faith with the school employes of this Commonwealth who are faithfully paying into that fund, as are the school districts, most of them. This fund is going to slip more if we put a pittance like \$5 million into the fund. It does not even pay the yield. I urge support of the amendment.

Mr. WOJDAK. Mr. Speaker, there was an agreement, as I understand it, to fill in this error over an extended period of time which, to my mind, is the only reasonable way of doing it.

Now it is very convenient for Mr. Seltzer to stand there today and suggest that we do it at this time in this fiscal year. In my opinion, last year was the time to do it. Only \$5 million was put into the fund last year when you decided to cut taxes. If there ever was a time to replenish that fund up to its par, it was last year.

The suggestion that is made today, admittedly, would confuse this budget considerably. Now is not the time to do it, and I think that we can live with the agreement to pay it off over an extended period of time.

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

Mr. GALLEN. Mr. Speaker, I totally disagree with the Appropriations Committee chairman. As Mr. Seltzer pointed out, we have \$169 million or will have \$169 million of one-shot money, and the place to put it is in the one-shot program. We have this deficit; this is the time to repay it. If it is necessary to either raise taxes or to slice this budget in some area, that is the responsible thing to do; not dig a deeper hole for this legislature and for the people of this Commonwealth.

Mr. WOJDAK. That \$169 million fund, Mr. Speaker, is committed.

My question to you is: Where were you last year when we had sufficient funds and you decided to cut taxes?

Mr. GALLEN. Mr. Speaker, it occurs to me that the agreement—and maybe Mr. Mullen can fill us in on that—was to put in something like \$10 million. That was the amount originally scheduled in the House appropriation bill—\$10 million, not \$5 million. Ten million dollars would have cut the deficit; \$5 million does not cut it at all.

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

Mr. M. P. MULLEN. Mr. Speaker, first of all, I agree with the chairman of the Appropriations Committee. He is right.

We have almost \$2.5 billion in the teachers' retirement fund. For the last 10 years we received enough interest and dividends from our investments to make the payout. We have not had to take anything from the fund in years. I just cannot foresee, in the foreseeable future, that we will have to do that.

Now certainly a mistake was made. I remember some years ago when I was chairman of the Appropriations Committee, I hired a private actuarial firm to determine

the soundness of our fiscal policy of continually placing in that fund more money than was actually needed, even though the formula system required us to do so.

We found at that time that the system was actuarially sound. I do not see any pressing obligation on our part to pay that money directly back into the fund. We have a formula system we have to follow. We will honor it with the teachers. There never has been any problem because, as I stated to you before, as I recall, the last time I saw that figure, the interest and dividends on the investment of that fund is almost \$125 million a year. This is more than enough to take care of the payout. So the chairman of the Appropriations Committee is absolutely right.

I think that we do have an obligation to pay back into the fund the amount that is owed. When we originally discovered that error and we decided to pay it back, we agreed to pay it at \$10 million a year. But I see nothing wrong if we decide for 1 year to give them \$5 million, because they are not hurting. After all, for years we have been borrowing from the state employes' retirement fund and from the teachers' retirement fund every time we needed to do so in order to balance our budget. There is nothing wrong with this because most of the money that goes in there is from the taxpayers of Pennsylvania in the nature of an appropriation. I think Mr. Wojdak is 100 percent right.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. KISTLER and WOJDAK and were as follows:

YEAS—42

Anderson, J. H.	Hayes, D. S.	Miller, M. E.	Sirrianni
Beren	Hepford	Miller, M. E., Jr.	Smith, L.
Brandt	Hill	Moehlmann	Spencer
Burns	Hutchinson, W.	Noye	Stahl
Butera	Kistler	O'Connell	Ustynoski
Cimini	Klingaman	Pancoast	Wagner
Davies	Kusse	Penninger	Weidner
Gallen	Lynch	Ryan	Westerberg
Grieco	Manmiller	Scheaffer	Wilt, W. W.
Gring	McClatchy	Seltzer	Wright
Halverson	Mebus		

NAYS—149

Abraham	Geesey	McLane	Schmitt
Arthurs	Geisler	Menhorn	Schweder
Barber	George	Milanovich	Scirica
Bennett	Giammarco	Milliron	Shane
Berlin	Gillespie	Miscevich	Shelhamer
Berson	Gillette	Morris	Shelton
Bittle	Cleason	Mrkonic	Shuman
Blackwell	Goodman	Mullen, M. P.	Shupnik
Bonetto	Green	Mullen	Smith, E.
Bradley	Greenfield	Musto	Stapleton
Brunner	Hamilton, J. H.	Myers	Stout
Cessar	Hammock	Novak	Sullivan
Cohen	Hasay	O'Brien	Taddonio
Cole	Haskell	O'Donnell	Taylor
Cowell	Hayes, S. E.	O'Keefe	Tayoun
Crawford	Hopkins	Oliver	Toll
Cumberland	Hutchinson, A.	Parker, H. S.	Trello
Davis, D. M.	Iris	Perri	Turner
DeMedio	Itkin	Perry	Valicenti
Deverter	Johnson, J.	Petrarca	Vann
Dicarlo	Katz	Pievsky	Vroon
DiDonato	Kelly, A. P.	Pitts	Wansacz
Dietz	Kelly, J. B.	Polite	Wargo
Dombrowski	Kernick	Pratt	Whelan
Dorr	Knepper	Prendergast	Whittlesey
Doyle	Kowalshyn	Pyles	Wilt, R. W.
Dreibelbis	LaMarca	Rappaport	Wojdak
Eckensberger	Laughlin	Reed	Worrilow
Englehart	Lederer	Renwick	Yahner
Fee	Lehr	Rhodes	Yohn
Fischer	Letterman	Richardson	Zearfoss
Fisher	Levi	Rieger	Zeller

Flaherty	Lincoln	Ritter	Zord
Foster, A.	Manderino	Romanelli	Zwilk
Foster, W.	McCall	Ross	
Fryer	McCue	Ruggiero	Fineman,
Gallagher	McGinnis	Saloom	Speaker
Garzia	McIntyre	Salvatore	

## NOT VOTING—12

Bellomini	Fawcett	Laudadio	Thomas
Caputo	Gleeson	McGraw	Walsh, T. P.
Dininni	Kolter	Sweeney	Wilson

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

## QUESTION OF PERSONAL PRIVILEGE

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

Mr. GREEN. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. GREEN. My switch was not operating when the vote was taken on the Myers amendment. I would like to be recorded as voting in the negative.

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

Does the gentleman, Mr. Vroon, have amendments?

Mr. VROON. Mr. Speaker, the amendment which I was scheduled to offer has already been taken care of by one which was offered by Mr. Wojdak and passed by the House.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

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

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

Amend Sec. 2, page 27, line 12, by striking out "310,-794,000" and inserting: 318,706,000

Amend Sec. 2, page 27, line 23, by striking out "75,-542,000" and inserting: 67,630,000

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the gentleman from Montour, Mr. Wagner.

Mr. WAGNER. Thank you, Mr. Speaker.

Mr. Speaker, quite simply, this item deletes the increase in the money which went to the community mental health-mental retardation programs and took that increase from last year's budget and put it back into the state hospitals.

I do this not because I disagree with the community mental health-mental retardation program but because I feel the state hospitals need it.

The administration is embarking upon a policy of de-institutionalizing, Mr. Speaker, and these institutions do need the money. They have to operate.

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

Mr. WOJDAK. Mr. Speaker, I would oppose this amendment. What Mr. Wagner is doing is increasing the amount for mental hospitals and cutting the community programs.

Now this is a reverse type of funding when you look at it logically. What is happening is that we are attempting to get people into our community-based programs,

and the funding that Mr. Wagner is suggesting is to plow more money back into the mental institutions when in fact there has been a dramatic drop in population in our state institutions. The community program is where we really need the money.

We did make a slight reduction in the Governor's budget in the face of a dramatic drop in population. So we are taking a reverse tactic by these amendments, and I would oppose them.

The SPEAKER. The Chair recognizes the gentleman from Montour, Mr. Wagner.

Mr. WAGNER. I would like to read from the Governor's budget, Mr. Speaker, on just this item—the mental hospitals. It will be short.

Even though the patient population at the mental hospitals continues to decline, the institutions continue to demand increasing resources. This is due to several reasons. First, the fixed overhead costs of operating an institution do not decrease when occupancy decreases . . . . Second, patient care staffing, which comprises a significant amount of total institutional expenditures, has not decreased in proportion . . . .

I also call to your attention an item here which says:

Approximately one-third of the patients in the State mental institutions are 65 years of age or older. In addition, the majority of patients have been in residence 10 years or longer.

The inpatient population in State mental hospitals is projected to continue decreasing over the next five years.

Mr. Speaker, I do not quarrel with that. They are decreasing. These are for the patients who have been treated for mental afflictions who are going out to the community-based projects.

But there is another purpose which our mental institutions serve. It is not just to take care of our mentally ill; our institutions provide geriatric care. Whether we like it or not, this budget does not tell you about the other major service here of geriatric care.

I call your attention to the fact that one-third of the patients being over the age of 65. Many of these patients will go to community-based projects when they are released, but most of them are just going to be released and put out in boarding homes. In these boarding homes, there is no state licensing; there are no nurses, no doctors, no aides, no dietitians, no sanitation.

I think some of you who come down here from the north only have to come down Routes 11 and 15 and you will pass one of these boarding homes where they put these people. In this boarding home I am thinking of, over 95 percent of the people were former mental patients at the Harrisburg State Hospital. I say, "former mental patients." They are treated; they are cured. They have no place to go. They are patients who are over 65 and they are put out and are mingling in the community, but they are not being taken care of, Mr. Speaker. They do not have the financial resources to get adequate housing. They do not have families to take care of them.

The state is in the geriatric-care business in fact, Mr. Speaker; maybe not in name but in fact it is. That is, at these mental institutions we have to take care of

these elderly people. They cannot afford to take care of themselves. They do not have the resources or the family to afford boarding homes. If they stay in our mental institutions, we have adequate doctors there; we have adequate dietitians. I am not talking about the mental-care patients; I am talking about the geriatric patients. They are treated; they are fine. They are in our mental institutions.

The question is this: Should the state get into the geriatric-care business or not? They are in the business right now. I think they should continue. That is the question.

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

Mr. WOJDAK. Mr. Speaker, most of what Mr. Wagner said is true. What he failed to tell you was that there is an increase of \$27 million in the budget for the state mental hospitals. It represents the third largest increase in this budget package. What he is doing is increasing it even further.

That logic just eludes me completely. What you are doing is lumping more money into the institutions. We are already taking care of their operating costs. We have affected their operations in no way. We have provided for these increased expenses that they have. Any further money you give them is just going to be wasted money there, especially when you take it away from community-based programs. I would ask for a negative vote on the amendment, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Indiana, Mr. Shane.

Mr. SHANE. Mr. Speaker, when the gentleman says that one-third of the residents of these institutions are over 65, he points out a way we should be going in the near future, which is to convert some of these institutions to skilled nursing homes which would bring in more Federal dollars if the institutions are converted to what they are now in fact—nursing homes.

If you divide the number of residents of these 19 institutions by \$310 million, the appropriation figure, you come out to approximately \$20,000 per patient per year.

What we are doing in Pennsylvania is really kind of pathetic. We are strangling the community mental-health programs, where we get much more therapy for our dollar, in order to maintain all these institutions.

Nobody wants to just wipe out these institutions, but I think to take money from community mental health, where I think we are getting more therapy for our dollar, and move it back to these institutions would be a step in precisely the wrong direction. For this reason, I urge the members to vote "no" on this amendment.

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

The yeas and nays were required by Messrs. WAGNER and WOJDAK and were as follows:

YEAS—20

Brandt	Hasay	Kusse	Spencer
Butera	Hepford	Miller, M. E.	Turner
Crawford	Hutchinson, W.	Noye	Vron
Dorr	Kelly, J. B.	O'Connell	Wagner
Foster, A.	Klingaman	Smith, L.	Weidner

NAYS—172

Abraham	George	Menhorn	Schmitt
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Anderson, J. H.	Giammarco	Milanovich	Schweder
Arthurs	Gillespie	Miller, M. E., Jr.	Scirica
Barber	Gillette	Milliron	Seltzer
Bellomini	Gleason	Miscevich	Shane
Bennett	Goodman	Moehlmann	Sheihamer
Beren	Green	Morris	Shelton
Berlin	Greenfield	Mrkonic	Shuman
Berson	Grieco	Mullen, M. P.	Shupnik
Bittle	Gring	Mullen	Sirianni
Blackwell	Halverson	Musto	Smith, E.
Bonetto	Hamilton, J. H.	Myers	Stahl
Bradley	Hammock	Novak	Stapleton
Brunner	Haskell	O'Brien	Stout
Burns	Hayes, D. S.	O'Donnell	Taddonio
Cessar	Hayes, S. E.	O'Keefe	Taylor
Cimini	Hill	Oliver	Tayoun
Cohen	Hopkins	Pancoast	Toll
Cole	Hutchinson, A.	Parker, H. S.	Trello
Cowell	Irvis	Perri	Ustynoski
Cumberland	Itkin	Perry	Vallcenti
Davies	Johnson, J.	Petrarca	Vann
Davis, D. M.	Katz	Pievsky	Walsh, T. P.
DeMedio	Kelly, A. P.	Pitts	Wansacz
Deverter	Kernick	Polite	Wargo
Dicarlo	Kistler	Pratt	Westerberg
DiDonato	Knepper	Prendergast	Whelan
Dietz	Kowalshyn	Pyles	Whittlesey
Dombrowski	LaMarca	Rappaport	Wilson
Doyle	Laughlin	Reed	Wilt, R. W.
Dreibelbis	Lederer	Renninger	Wilt, W. W.
Eckensberger	Letterman	Renwick	Wojdak
Englehart	Levi	Rhodes	Worriow
Fee	Lincoln	Richardson	Wright
Fischer	Lynch	Rieger	Yahner
Fisher	Manderino	Ritter	Yohn
Flaherty	Manmiller	Romanelli	Zearfoss
Foster, W.	McCall	Ross	Zeller
Fryer	McClatchy	Ruggiero	Zord
Gallagher	McCue	Ryan	Zwinkl
Gallen	McGinnis	Saloom	
Garzia	McIntyre	Salvatore	Fineman,
Geesey	McLane	Scheaffer	Speaker
Geisler	Mebus		

NOT VOTING—11

Caputo	Gleason	Lehr	Sweeney
Dininni	Kolter	McGraw	Thomas
Fawcett	Laudadio	Sullivan	

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

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. The Chair recognizes the minority leader. For what purpose does the gentleman rise?

Mr. BUTERA. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. BUTERA. Mr. Speaker, I am recorded erroneously on the last amendment. I wish to be recorded as voting in the negative on the Wagner amendment to House bill No. 1336.

The SPEAKER. The gentleman's remarks will be noted for the record.

AMENDMENT WITHDRAWN

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

Mr. WOJDAK. Mr. Speaker, I have a second amendment from Mr. Wagner. I am assuming he is withdrawing that.

The SPEAKER. Yes.

On the question recurring,

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

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

Amend Sec. 2, page 29, line 18, by striking out "74-200,000" and inserting: 73,200,000

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

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

Mr. PERRY. Mr. Speaker, this amendment reduces this item by \$1 million. This is the urban mass transportation assistance appropriation. This is less than 1.5 percent of the sum that is in the bill.

The fate of this amendment will probably be the same as most of the amendments, but I must bring this matter to the attention of the House, even if it gets only my vote.

I voted against most of the amendments offered, so I expect that most members will vote against this amendment. However, I feel compelled to offer it.

This amendment actually should be offered to the motor vehicle appropriation, but we do not have that fund before us. Therefore, I am offering it to House bill No. 1336, to send a message to the Department of Transportation.

I want to bring to the attention of the members of his House that the topics project or program, whatever it is called, has been a nightmare in my district, only four blocks from my home. The topics project is financed 50 percent federally, 25 percent state, and 25 percent local.

Let me give you the story of this topics project in my neighborhood. A concrete island was built in the middle of Broad Street in Philadelphia from the 6700 block way up to the 7200 block north. After this concrete island was built and after the awful confusion, it was dug up and then the street was repaved to its original condition. The confusion and inconvenience and hazards that were caused was almost unbelievable.

I believe this House should support this amendment and, by doing so, send a message to the Department of Transportation so that they could give deep study and research to these topics projects before they approve them and thus prevent such waste of money and confusion to the citizens. That is it.

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

Mr. WOJDAK. Mr. Speaker, I am opposed to these amendments.

What Mr. Perry is doing is cutting a million dollars out of the mass transit budget. You heard the rather extended discussion yesterday. None of the mass transit authorities are getting the amounts they are asking for or their operating deficiencies, and to severely hamper that anymore by cutting a million dollars just does not make sense to me.

In the second part of his amendment, he is reducing the budget of the State Police by half a million dollars.

Mr. PERRY. Mr. Speaker, I have not offered that one yet. They are separate amendments. I have not offered the No. 2 amendment yet.

Mr. WOJDAK. Okay, I am sorry. I did not have that in front of me.

As to the mass transit amendment, I would ask for a negative vote on that matter.

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

Mr. BEREN. Thank you, Mr. Speaker.

I, too, join the Appropriations Committee chairman in opposing this amendment.

I ask those of you in the southeastern region of the state to think back to the events which occurred in the middle of March of this year when we had the Southeastern Transportation Authority out on strike. They were out on strike because they sought additional wages. They finally came to an agreement, and that agreement almost blew up because one party to the negotiations, that being the Commonwealth, was not willing to state that they would supply the funds to pay their portion of the wage settlement. After several days of hectic bargaining, the Governor of the Commonwealth committed himself to see that additional funds would be put forth so that the strikers would get the amount of money agreed upon and the transit system could again provide the service to the citizens of southeastern Pennsylvania.

The plain fact of the matter is, this budget does not contain that promised increase. The problems ahead for the employees in all of the mass transit systems are severe. They are most severe in southeastern Pennsylvania where the promised funds are not forthcoming, and it does not make any sense, in my judgment, to cut back even further.

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

Mr. MILLIRON. Mr. Speaker, I just wanted to mention that I agree with the Appropriations Committee chairman.

As a former PennDOT employe, which I usually do not brag about in public, I would admit and agree with Mr. Perry that there are many areas in the PennDOT budget that should be cut and should be pared. For the topics programs which he spoke of, though, the funds do not come out of the mass transportation appropriation at which his amendment is aimed. The topics programs are to increase capacity and safety of roads. They have been very effective programs. They are done only at the request of the local municipalities.

To go along with the Perry amendment would only cut into the mass transportation appropriation which, especially in these days, I think needs to be increased. Thank you.

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

Mr. ITKIN. Mr. Speaker, I just want to reiterate what Mr. Milliron said. The moneys for the topics programs come out of the Motor License Fund and not from the General Fund which this bill relates to.

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

The yeas and nays were required by Messrs. PERRY and WOJDAK and were as follows:

YEAS—26

Anderson, J. H.	Fryer	Perry	Vroon
Brandt	Gallen	Renninger	Wagner
Cumberland	Geesey	Renwick	Weidner
Davis, D. M.	George	Scheaffer	Whelan
Dorr	Kusse	Stahl	Yahner
Eckensberger	Mrkonic	Taylor	Zeller
Foster, A.	Noye		

NAYS—163

Abraham	Goodman	McGinnis	Saloom
Arthurs	Green	McIntyre	Salvatore

Barber	Greenfield	McLane	Schmitt
Bellomini	Grieco	Mebus	Schweder
Beren	Gring	Menhorn	Scirica
Berlin	Hamilton, J. H.	Milanovich	Shane
Berson	Hammock	Miller, M. E.	Shelhamer
Bittle	Hasay	Miller, M. E., Jr.	Shelton
Blackwell	Haskell	Milliron	Shupnik
Bonetto	Hayes, D. S.	Miscevich	Sirianni
Bradley	Hayes, S. E.	Moehlmann	Smith, E.
Brunner	Hepford	Morris	Smith, L.
Burns	Hill	Mullen, M. P.	Spencer
Butera	Hopkins	Mullen	Stapleton
Cessar	Hutchinson, A.	Musto	Stout
Cimini	Hutchinson, W.	Novak	Sullivan
Cohen	Irvin	O'Brien	Taddonio
Cole	Ikkin	O'Connell	Tayoun
Cowell	Johnson, J.	O'Donnell	Toll
Crawford	Katz	O'Keefe	Trello
Davies	Kelly, A. P.	Oliver	Turner
DeMedio	Kelly, J. B.	Pancoast	Ustynoski
Deverter	Kernick	Parker, H. S.	Valicenti
Dicarlo	Kistler	Perri	Vann
DiDonato	Klingaman	Petrarca	Wansacz
Dietz	Knepper	Pievsky	Wargo
Dombrowski	Kolter	Pitts	Westerberg
Doyle	Kowalyszyn	Polite	Whittlesey
Dreibelbis	LaMarca	Pratt	Wilson
Englehart	Laughlin	Prendergast	Wilt, R. W.
Fee	Lederer	Pyles	Wilt, W. W.
Fischer	Lehr	Rappaport	Wojdak
Fisher	Letterman	Reed	Worrilow
Flaherty	Levi	Rhodes	Wright
Foster, W.	Lincoln	Richardson	Yohn
Gallagher	Lynch	Rieger	Zearfoss
Garzia	Manderino	Ritter	Zord
Geisler	Manmiller	Romanelli	Zwikel
Giammarco	McCall	Ross	
Gillespie	McClatchy	Ruggiero	Fineman,
Gillette	McCue	Ryan	Speaker
Gleason			

NOT VOTING—14

Bennett	Gleeson	Myers	Sweeney
Caputo	Halverson	Seltzer	Thomas
Dininni	Laudadio	Shuman	Walsh, T. P.
Fawcett	McGraw		

So 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 as amended on third consideration?

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

Amend Sec. 2, page 29, line 5, by striking out "27,048,000" and inserting: 26,548,000

On the question,

Will the House agree to the amendment?

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

Mr. PERRY. Thank you, Mr. Speaker.

Mr. Speaker, my amendment amends section 2, page 29, line 5, by striking out "27,048,000" and inserting "26,548,000," reducing this item by \$500,000.

This is the State Police appropriation. This is less than 2 percent of the appropriation. This amendment will probably fall the same as the others, but I want to bring this matter to the attention of the members again, even if it gets only my vote.

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

Mr. WOJDAK. Mr. Speaker, we have already reduced the—

Mr. PERRY. Whoa, wait a minute. I want to explain the reason.

Mr. WOJDAK. I am sorry.

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

Mr. PERRY. Mr. Speaker, from the information I got, there are over 100 positions in the State Police, such as clerical, typists, eye examinations, inspection of stations, service station approvals, and other nonpolice-duty positions.

POINT OF ORDER

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

Mr. A. K. HUTCHINSON. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. A. K. HUTCHINSON. Mr. Speaker, this amendment is not germane to the bill. He is talking about—

The SPEAKER. Will the gentleman yield?

The point of order is not well taken on the matter of germaneness.

Mr. PERRY. If Mr. Hutchinson will wait until I get through, he will see that it is germane.

The SPEAKER. The gentleman may proceed.

Mr. PERRY. These positions should be filled by civil service civilian employes. I had my eyes examined recently by a husky 6-foot-4-inch state trooper for a physical examination. This work can be done by any high school graduate with a few months' training.

Year after year at budget time we speak of civilians doing this nonpolice work. We cannot consider legislating to mandate that these positions be filled by civilian employes for the reason that we do not want to mandate the creation of more than 100 new jobs.

The State Police can retire after 20 years' service for the reason that their work is hazardous. Doing clerical work and eye examinations is not hazardous duty. We must send a message to the State Police to proceed with a program that when a vacancy occurs in police-duty positions, they be filled by transfers of State Police from clerical positions.

The legislature must assert itself and let the State Police and any other department know that when a recommendation is made on the floor of this House that it be considered seriously. There is about \$900,000 a year that can be saved when this program is completely implemented. I do not know how much money is given to the State Police by other agencies—the motor vehicle fund and so forth.

I understand the State Police are moving in the direction proposed by this amendment, but it is entirely too slow and we want them to move faster. I would hope that the members of this House will give this message loud and clear to this department and support this amendment.

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

Mr. WOJDAK. Mr. Speaker, we have already reduced the State Police budget—at least that portion coming from the general fund—and we did that by really lacing them up pretty tightly in their program expenditures. With any further reduction of that amount, you are really not going to be affecting programs; you are going to start cutting into personnel. That reduction of a half-million dollars would require, I am certain, the elimination of various State Police positions. I ask for a negative vote.

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

The SPEAKER. The House will have to take that vote over again. I understand that the machine is in disrepair once more. We need an appropriation for a new machine.

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

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

Mr. DORR. Mr. Speaker, I do not know anything about that machine, but I have noticed on the last several roll calls that were taken that when the Speaker asked that the machine be locked, there were still lights flashing one way or another. It seems to me that if we could wait maybe 10 seconds more to lock the machine after all the members have voted, it might not jam the machine. That may be one of the causes.

The SPEAKER. The locking of the machine is being controlled by the chief clerk.

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

The yeas and nays were required by Messrs. PERRY and WOJDAK and were as follows:

YEAS—24

Abraham	Fryer	Miscevich	Seltzer
Brandt	Gallen	Morris	Shane
Cumberland	Gring	Mrkonic	Smith, L.
Davis, D. M.	Hasay	Perry	Valicenti
Fischer	Letterman	Renninger	Yahner
Fisher	McCue	Renwick	Zearfoss

NAYS—167

Anderson, J. H.	Gillespie	McGinnis	Schweder
Arthurs	Gillette	McIntyre	Scirica
Barber	Gleason	McLane	Shelhamer
Bellomini	Goodman	Mebus	Shelton
Bennett	Green	Menhorn	Shuman
Beren	Greenfield	Milanovich	Shupnik
Berlin	Grieco	Miller, M. E.	Sirjanni
Berson	Halverson	Miller, M. E., Jr.	Smith, E.
Bittle	Hamilton, J. H.	Milliron	Spencer
Blackwell	Hammock	Mullen	Stahl
Bonetto	Haskell	Musto	Stapleton
Bradley	Hayes, D. S.	Novak	Stout
Brunner	Hayes, S. E.	Noye	Sullivan
Burns	Hepford	O'Brien	Taddonio
Butera	Hill	O'Connell	Taylor
Cessar	Hopkins	O'Donnell	Tayoun
Cimini	Hutchinson, A.	O'Keefe	Toll
Cohen	Hutchinson, W.	Oliver	Trello
Cole	Irvis	Pancoast	Turner
Cowell	Itkin	Parker, H. S.	Ustynoski
Crawford	Johnson, J.	Perri	Vann
Davies	Katz	Petrarca	Vroon
DeMedio	Kelly, A. P.	Pievsky	Wagner
Deverter	Kelly, J. B.	Pitts	Walsh, T. P.
Dicarlo	Kernick	Polite	Wansacz
DiDonato	Kistler	Pratt	Wargo
Dietz	Klingaman	Prendergast	Weldner
Dombrowski	Knepper	Pyles	Westerberg
Dorr	Kolter	Rappaport	Whelan
Doyle	Kowalshyn	Reed	Whittlesey
Dreibelbis	Kusse	Rhodes	Wilson
Eckensberger	LaMarca	Richardson	Wilt, R. W.
Engelhart	Laughlin	Rieger	Wilt, W. W.
Fee	Lederer	Ritter	Worrlow
Flaherty	Lehr	Romanelli	Wright
Foster, A.	Levi	Ross	Yohn
Foster, W.	Lincoln	Ruggiero	Zeller
Gallagher	Lynch	Ryan	Zord
Garzia	Manderino	Saloom	Zwinkl
Geesey	Manmiller	Salvatore	
Geisler	McCall	Scheaffer	
George	McClatchy	Schmitt	Fineman, Speaker
Giammarco			

NOT VOTING—12

Caputo	Gleeson	Moehlmann	Sweeney
Dininni	Laudadio	Mullen, M. P.	Thomas
Fawcett	McGraw	Myers	Wojdak

So 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 as amended on third consideration?

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

Amend Sec. 2, page 22, by inserting after line 30: For salaries, wages and all necessary expenses for the proper administration of the Bureau of Occupational Injury and Disease Compensation ..... 4,500,000

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

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, this amendment would restore to the Department of Labor and Industry and give a slight increase to that department by the sum of \$4,500,000—that is the total sum—for salaries, wages and all necessary expenses for the proper administration of the Bureau of Occupational Injury and Disease Compensation.

It is my understanding that the Governor—well, it is not my understanding; it is a fact—by the budget last year provided \$13,625,000 to the Department of Labor and Industry. This year that was reduced to \$10,056,000 for general government operations, which represents a reduction of approximately \$3.5 million, and this reduction comes out of the Bureau of Occupational Injury and Disease Compensation. Basically that is your workmen's compensation fund and the black lung fund.

Now if this money is not restored, it is my understanding that as of July 1 there will be inadequate funds to continue the workmen's compensation program and the black lung program as it is administered by the state. Now I am not talking about payments of benefits; I am talking about the administration of the fund—the payment of workmen's compensation referees, the medical personnel who examine, the cost of transcripts, and the general administration of the black lung program which I am not really overly familiar with. But it is these moneys that are used to administer both workmen's compensation and the black lung disease fund.

I believe, Mr. Speaker, that we spent time here today talking about what we should do for industry to create jobs in Pennsylvania. I think we have an equal duty to make sure that the Commonwealth continues to operate efficiently in the Department of Labor and Industry, particularly in this area where the workers of the Commonwealth, through no fault of their own, have been injured or have become sick due to the type of employment they were engaged in. Accordingly, I would ask for an affirmative vote on this particular amendment.

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

Mr. WOJDAK. Mr. Speaker, I oppose the amendment. Mr. Ryan is attempting to provide money to fund the bureau which administers the payments for occupational injury and disease compensation. The actual cost of ad-

ministering that program is really \$5 million and not \$4.5 million. Several years ago the Governor's Management Review Task Force recommended funding this program through assessments on insurance carriers and self-insurers. The assessment rate would be 4.5 percent of the compensation. This type of funding for the administration of these programs is now being done in that manner and funded in that manner in 20 other states.

A bill for this purpose has been introduced in the Senate which will accomplish just that. That is the reason why it was not budgeted in the Governor's document and why there was no money put in by the Appropriations Committee.

I am really not in a position, standing here today, to discuss the position of the insurance industry on this bill, but I think one of the advantages I do see and what it could result in—the bill that is presently in the Senate—is really a higher confidence by the insurance industry in the management of the entire fund, and I would recommend that we go that route and oppose this amendment.

The SPEAKER. The Chair recognizes the minority whip.

Mr. RYAN. Mr. Speaker, we have been here for many hours and many of us have been here for many years, and I would hate to depend on any bill that is awaiting consideration in the Senate and depend that that bill will ever reach us. We have, time and time again over the years, said that we should take care of our own problems here and not depend on the Senate to amend our problems. When we are getting close to the end of a session, we say, oh, go ahead; we will pass it and let the Senate correct it. We have all seen bills go to the Senate and not be corrected.

Now here what Mr. Wojdak is suggesting is that we not fund the Workmen's Compensation Bureau or that Department of Labor and Industry that administers the fund and the black lung disease while we await the pleasure of the Senate to maybe pass a bill that will take care of the problem.

I do not even know the number of the Senate bill and I tried to find it out. I do not know that it is on their calendar; I do not know that it is in committee or out of committee. I know nothing about the Senate bill and I care less to depend on the Senate to get the bill over to us by July 1.

Now I think our responsibility is clear. We have an obligation to the people who receive workmen's compensation and those people who receive benefits from the black lung program to see to it that the program continues and not to depend on the Senate to maybe pass a bill to send over to us that we may or may not pass.

There were a number of bills introduced over the past 4 years that were recommended by the Governor's study commission or whatever that was called—the businessmen's task force—and many of those bills failed. And if this is another one and it fails and we are depending on it, then those of you who are concerned about the black lung disease recipients and the workmen's compensation recipients will have to answer to them for your depending on the Senate's ability to pass a bill in the Senate and then have it such a bill that it will pass this House.

I suggest that the proper way to do it is to insert this amendment. If the Senate then passes a bill and if that

bill comes over and if it passes here, then these moneys would lapse; they would no longer be necessary. But until that is done, I think it is our responsibility to pass this bill, this over-all budget, with these amendments in it.

#### POINT OF ORDER

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

Mr. FISHER. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. FISHER. Mr. Speaker, I wonder if Mr. Ryan would tell us which of the two amendments that he has distributed he has addressed his comments on? Is it the one that funds the program and cuts the amount?

Mr. RYAN. No. I do not provide for the cut, Mr. Fisher. My total amendment reads: "For salaries, wages and all necessary expenses for the proper administration of the Bureau of Occupational Injury and Disease Compensation . . . 4,500,000". And it goes on to amend page such and such.

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

Mr. WOJDAK. Mr. Speaker, there is no doubt that the administration of this bureau must be funded. It is my understanding that the department itself recommended this type of funding and recommended the legislation and it was introduced in the Senate. I have been told that accompanying that request for funding the bureau in this manner, they have indicated to the Senate that if in fact it is not passed by July 1 by the General Assembly, by the Senate and the House, it would have to be included in the general appropriations.

The Senate is aware of that. I am sure they are aware that the fund must be administered; it must be funded; it must be administered properly for the people who are deriving benefits from it.

What I am suggesting is that we await the action by the Senate. It has to be accomplished by July 1. If in fact this means a funding of the administration of the bureau does not occur, then it is going to have to come from the general fund, and the Senate is aware of that and will have to provide for it.

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

Mr. DiCARLO. Mr. Speaker, I would like to address myself to the amendment. Although I share Mr. Ryan's concern, it seems the one part that really has not been brought fully to the attention of the membership is that the other half of the amendment—

Mr. RYAN. Pardon me, Mr. Speaker. In response to a question by Mr. Fisher, I had two amendments prepared and two were distributed. In response to Mr. Fisher's interrogation, I indicated that the amendment that I offered was the one that simply put the \$4.5 million into Labor and Industry and did not provide for a deduction from the Department of Welfare. The only thing that this amendment does is add the \$4.5 million. There is no deletion here in the amendment that I have submitted.

Mr. DiCARLO. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendment?



INTERROGATION

Mr. W. W. WILT requested and obtained unanimous consent to interrogate Mr. IRVIS.

Mr. W. W. WILT. Mr. Speaker, would the majority leader inform the House as to what the schedule is for the balance of the evening?

Mr. IRVIS. Yes, Mr. Speaker. We intend to run until 6 p.m., the same as we did yesterday, and then come back on the floor of the House at 9:30 tomorrow morning.

Mr. W. W. WILT. Thank you, Mr. Speaker. (A roll-call vote was taken.)

The SPEAKER. The Chair is advised that the machine is off again.

QUESTION OF PERSONAL PRIVILEGE

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

Mr. RICHARDSON. Mr. Speaker, I want to get on the roll.

The SPEAKER. How does the gentleman desire to be recorded?

Mr. RICHARDSON. I would like to be recorded in the negative, sir.

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

The SPEAKER. The Chair recognizes the minority whip. For what purpose does the gentleman rise?

Mr. RYAN. Mr. Speaker, are you sure that machine is broken?

The SPEAKER. It is broken, Matt; it is broken.

Mr. RYAN. Is this what they mean at the racetrack when the Commonwealth gets a breakage, that the Speaker gets a breakage on the reruns?

The SPEAKER. The Chair recognizes the lady from from Susquehanna, Miss Sirianni. For what purpose does the lady rise?

Miss SIRIANNI. Mr. Speaker, may I suggest that we adjourn for the day and come in at 9 o'clock tomorrow morning after you have that machine fixed?

Mr. Speaker, I make that in the form of a motion.

The SPEAKER. There is nothing in order at the moment, Miss Sirianni, except the taking of the roll.

Miss SIRIANNI. Mr. Speaker, is not a motion for adjournment always in order?

The SPEAKER. Well, we will go to the Journals and find out.

Does the lady realize that if a motion is taken, it will have to be called manually at this moment and that will take until 6 o'clock?

Miss SIRIANNI. Mr. Speaker, is there anything in the rules that says we cannot have a stand-up vote?

The SPEAKER. The Speaker cannot see well.

Miss SIRIANNI. Mr. Speaker, I have—

The SPEAKER. Will the lady yield for just a moment?

Mr. RYAN. Mr. Speaker, maybe I can solve the problem. I will withdraw my amendment at this time and run it tomorrow. Now there is nothing before the House but the lady's motion.

The SPEAKER. A motion to adjourn is always in order, except it is not in order during the taking or verification of a vote.

Mr. RYAN. I have withdrawn my amendment, Mr. Speaker, so that now that motion may be considered.

The SPEAKER. You cannot withdraw your amendment after a vote has been taken on it.

POINT OF ORDER

The SPEAKER. The Chair recognizes the lady from Susquehanna, Miss Sirianni. For what purpose does the lady rise?

Miss SIRIANNI. I rise to a point of order.

The SPEAKER. The lady will state it.

Miss SIRIANNI. Mr. Speaker, if the machine is broken, how can you take a vote?

The SPEAKER. Well, we are working on that little problem.

Miss SIRIANNI. Mr. Speaker, that is what I am afraid of.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. RYAN and WOJDAK and were as follows:

YEAS—92

Table listing names of members who voted YEAS, including Anderson, J. H., Beren, Bittle, Bradley, Brandt, Burns, Butera, Cessar, Cimini, Crawford, Cumberland, Davies, Davis, D. M., Deverter, Dietz, Dorr, Dreibelbis, Fischer, Fisher, Foster, A., Foster, W., Gallen, Geesey, George, Gleason, Grieco, Gring, Halverson, Hamilton, J. H., Hasay, Haskell, Hayes, D. S., Hayes, S. E., Hepford, Hill, Hopkins, Hutchinson, W., Kelly, J. B., Kistler, Klingaman, Knepper, Kusse, Lehr, Levi, Lynch, Manmiller, McCall, McClatchy, McCue, McGinnis, Mebus, Miller, M. E., Miller, M. E., Jr., Moehlmann, Musto, Noye, O'Connell, Pancoast, Parker, H. S., Pitts, Polite, Pyles, Renninger, Ryan, Scheaffer, Scirica, Seltzer, Shelhamer, Sirianni, Smith, E., Smith, L., Spencer, Stahl, Taddonio, Taylor, Turner, Ustynoski, Vroon, Wagner, Wansacz, Weidner, Westerberg, Whelan, Whittlesey, Wilson, Wilt, R. W., Wilt, W. W., WorriLOW, Wright, Yohn, Zearfoss, Zord.

NAYS—98

Table listing names of members who voted NAYS, including Abraham, Arthurs, Barber, Bellomini, Bennett, Berlin, Berson, Blackwell, Bonetto, Brunner, Cohen, Cole, Cowell, DeMedio, Dicarlo, DiDonato, Dombrowski, Doyle, Eckensberger, Englehart, Fee, Flaherty, Fryer, Gallagher, Garzia, Geisler, Giammarco, Gillespie, Gillette, Goodman, Green, Greenfield, Hammock, Hutchinson, A., Irvis, Itkin, Johnson, J., Kelly, A. P., Kernick, Kolter, Kowalyszyn, LaMarca, Laughlin, Lederer, Letterman, Lincoln, Manderino, McIntyre, McLane, Menhorn, Milanovich, Milliron, Miscевич, Morris, Mrkonic, Mullen, Myers, Novak, O'Brien, O'Donnell, O'Keefe, Oliver, Perry, Petrarca, Pievsky, Pratt, Prendergast, Rappaport, Reed, Renwick, Rhodes, Richardson, Rieger, Ritter, Romanelli, Ross, Ruggiero, Saloom, Schmitt, Schweder, Shane, Shelton, Shuman, Shupnik, Stapleton, Stout, Sullivan, Toll, Trelo, Valicenti, Vann, Walsh, T. P., Wargo, Wojdak, Yahner, Zeller, Zwick, Fineman, Speaker.

NOT VOTING—13

Table listing names of members who did not vote, including Caputo, Dininni, Fawcett, Gleason, Katz, Laudadio, McGraw, Mullen, M. P., Perri, Salvatore, Sweeney, Tayoun, Thomas.

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

### QUESTION OF PERSONAL PRIVILEGE

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

Mr. RICHARDSON. I rise to a question of personal privilege.

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. Mr. Speaker, I did ask to be recorded on the Ryan amendment, and you did not—

The SPEAKER. The gentleman is correct. The "nays" will be 98. The gentleman, Mr. Richardson, will be recorded in the negative.

On the question recurring,

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

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

Amend Sec. 2, page 16 by inserting between line 14 and 15:

Advance Funding Program Fund to be administered by the Pennsylvania Higher Education Assistance Agency .....	42,000,000
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On the question,

Will the House agree to the amendment?

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

Mr. M. P. MULLEN. Mr. Speaker, the purpose of this amendment is to try to do justice to the thousands of parents in Pennsylvania who send their children to nonpublic schools. Forty of our members signed a proposal to try to help solve the problem resulting from the recent Supreme Court decision, and that bill has been introduced.

The purpose of this amendment is to appropriate \$42 million to the advance funding program fund to be administered by the Pennsylvania Higher Education Assistance Agency.

Now many of you ask where do we intend to get that money? Well, tomorrow I will offer an amendment to House bill No. 1207, which was referred to a few minutes ago, where the \$169 million is in the fund. The amendment which I will offer tomorrow will reduce the amount of money in that fund from \$169 million down to \$120 million, which is the amount of money needed to pay the parents under the Parent Reimbursement Act if the court finds that the parents are entitled to the money. The additional \$49 million will be paid into the general fund. And what I am requesting the members to do today is to take \$42 million of that and place it into the general appropriation bill—the bill before us, House bill No. 1336—for the purpose of recognizing the great sacrifices that many of these parents are making.

Now those of you—and I sent a copy to every member of the House—had an opportunity to read that bill. And what that bill will do, if it becomes law, is to pay to all the parents of nonpublic school children \$100 for elementary students in nonpublic schools, and there are 279,539, and it will pay \$150 to those parents who have children in high school, and they number 98,830.

Now certainly no one knows more than I do the constitutional problems that we have had in this particular area. And no one knows how important it is to try to help solve the problem.

In my legislative district we have over 55 percent of the children attending nonpublic schools, and I just cannot go back to the parents with a general appropriation bill that appropriates \$2.2 billion to public schools and say that all we are going to provide for you, the parents of nonpublic school children in nonpublic schools, is the \$6.5 million for textbooks, which was increased yesterday to \$8,700,000, because with the amendment yesterday it was increased from \$15 to \$20 per student for books.

Also, yesterday an amendment was introduced which was a sham and a fraud, and I am ashamed to say that the Catholic Conference agreed to it. They agreed to put a lump sum into the bill for \$20 million for auxiliary services. Well, the Supreme Court, just a couple of weeks ago, found auxiliary services to be unconstitutional. So it is inconceivable to me, since the Court found it to be unconstitutional, that we would try to reenact that particular bill.

I do not agree with the Supreme Court's decision. So what we are doing here is trying to fund a proposed new program which will help solve the problem. It is important to each one of you in your legislative district. I do not think there is a legislative district in the state that does not have some nonpublic school students attending nonpublic schools.

I think we have to do something in a meaningful way to solve the problem, and you do not do it the way we did it yesterday. You have to do it in a meaningful way, and the purpose of this amendment is to provide the \$42 million which in fact will provide the cash for the parents to help them send their children to nonpublic schools.

I am not going to tell you that a constitutional problem is not presented by that bill. I am the first to admit that there is a constitutional problem. But we have had this problem for years, and with all of our unconstitutional problems, we have already received over \$200 million for children attending nonpublic schools. And I think this is a new approach; I think it will work, and I ask you to please really show the people back in your district who have this problem that you want to do something in a meaningful way to help them.

Do not buy this hogwash that if something constitutional comes along, we will provide funds at that particular point in time. The people are not interested in hearing that. They know public schools are being properly funded and they want to have some moneys available to take care of their nonpublic school students.

Certainly, all of you who sponsored that bill ought to vote today to fund it, because if we do not fund it and if the bill does pass later on, it will be meaningless because there will be no money to fund it.

We are asking for no new money. We are only asking for money that has been set aside in the past by the legislature for nonpublic school purposes. We do not want a dime more than we have already been entitled to under existing law. And that money will be transferred tomorrow to fund this particular item, and I think all of us should vote for it. Thank you.

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

Mr. WOJDAK. Mr. Speaker, during yesterday's ses-

sion I introduced a series of amendments, and I would like to review them at this time so that the membership knows what was introduced yesterday.

One of the amendments was for approximately \$20 million on what I am calling a shared-time concept. The proposal of shared time—

The SPEAKER. Will the gentleman yield?

#### POINT OF ORDER

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

Mr. GALLEN. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. GALLEN. Mr. Speaker, he is not talking on this amendment.

The SPEAKER. The gentleman may proceed.

Mr. WOJDAK. The shared-time concept was arrived at after several meetings with the Pennsylvania Catholic Conference and after reviewing the many Supreme Court decisions speaking to the issue of aid to nonpublic schools. We felt the shared-time concept is really the viable vehicle for getting aid to nonpublic schools because one of the areas that has met the test of constitutionality is shared time in the area of vocational education. That is constitutional.

What we have done is expanded the areas of shared time from vocational education into the areas of health services, "health" being defined very broadly so as to include guidance counseling, remedial reading, and areas such as this. We have done this with the sincerest hope of meeting the constitutional test.

In addition to that amendment, the second amendment increased the reimbursement for textbooks from \$15 to \$20 for a total cost of approximately \$8.6 million. There had been \$6.5 million in the budget. It was increased approximately \$2.1 million. The total cost for textbooks is now \$8.6 million.

In addition, there was a third portion to that amendment—and, really, Mr. Gleason is the author of that; he had originated that idea—which would give \$5 to every nonpublic school student for various school supplies—pencils, pens, notebooks, et cetera. That total package was worth \$31 million. Again, we have the sincerest hope that that would meet the constitutional test laid down by the Supreme Court.

Mr. Mullen calls that concept and that package a sham. The fact of the matter is that Mr. Mullen voted for that package yesterday.

Now in looking at Mr. Mullen's proposal, what he is really doing is doubling up on the aid for nonpublic schools. He voted for those amendments yesterday and he is now coming forward with another amendment, which is in bill form, for \$42 million.

The basis of that bill is that the Pennsylvania Higher Education Assistance Agency, PHEAA, would provide—that is the means or the mechanism that he is using to get—aid to grade-school and high-school children in nonpublic schools.

In all good conscience, in looking at the rules laid down by the Supreme Court and on the basis of their decision, I think it is blatantly unconstitutional. I think it also violates our state constitution. Our state constitution prohibits grants to individuals except for students in institutions of higher learning, so that the PHEAA

program can work for college students. It in no way—and it appears to me as an attorney to be blatantly unconstitutional on its face—attempts to give grants to grade-school or high-school children in nonpublic schools.

I think the additional problem with Mr. Mullen's proposal is that the Court has faced this issue over the past several years. If, in fact, Mr. Mullen's bill were to become law, I think it would be immediately enjoined. So you are really presenting a sham to most parents. You are holding out what appears to be \$42 million and there is no doubt in my mind that it would immediately be enjoined.

It would further, in my opinion, antagonize the Court. The Court over its past several decisions has indicated very strongly that they are not interested in even entertaining questions on aid to nonpublic school students where it causes the kind of antagonism that it has caused. This, in my opinion, would have the effect of antagonizing the Court even further on the issue that we are facing.

In addition to that, I think Mr. Mullen's proposal jeopardizes the entire budget and entire budget problem that we are facing here today. I do not see the need for it. We have a viable vehicle via the amendments that I put in yesterday that everyone agreed to; that Mr. Mullen himself has agreed to; that the Pennsylvania Catholic Conference has wholeheartedly agreed to.

The Pennsylvania Catholic Conference has not indicated support of Mr. Mullen's proposal, and I can see why, and I do not think you even have to be a lawyer, because it appears to me to be blatantly unconstitutional on its face.

I would recommend, Mr. Speaker, and I recommend very strongly that we cast a negative vote on this proposal.

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

Mr. M. P. MULLEN. Mr. Speaker, in response to Mr. Wojdak, first of all, anyone who knows anything about aid to nonpublic schools knows that since 1913 in Pennsylvania shared time has been constitutional.

In his own legislative district in Philadelphia and in my legislative district, we have had shared time for many, many years. Even when I was a kid going to West Catholic High, we had shared time. Today we have shared time.

What you are giving us in the \$20 million is something that we are already entitled to. But the children who go to nonpublic schools and their parents are not interested in going to a school in your neighborhood and then being transported 10 or 15 miles to another school somewhere else. They are interested in getting their education as all the children in the public schools get their education—in a neighborhood school. This is very, very unfair to put \$20 million into a bill which we are already entitled to get the benefits from.

In regard to the other amendment, certainly I voted for the amendment yesterday because two of the items were separate amendments that I had proposed to our caucus last week and which were rejected by the leadership. As a matter of fact, the leadership had no intention of giving us a dime until we demonstrated we had the votes to get it.

Now I had the two amendments, and I have no objection to them. On the textbooks, the courts have al-

ready said that that is constitutional. There is certainly no objection to that.

I want something done in a meaningful way. All through the years, long before you came to the legislature, everyone who was against this proposal said it was unconstitutional. Maybe it is unconstitutional, but when we get new Justices on the Supreme Court, hopefully it will be constitutional.

But we have an obligation to defend the children and you have an obligation, because in your legislative district you have more nonpublic school children than I. Everyone who has nonpublic school children in their district has an obligation to go out there and fight.

This is a new concept. It has not been tried before. We had considered it many years ago, but we did not adopt it. We think it has considerable merit, and the only way we are going to find out is by passing it.

But we are not going to help those parents back in the districts by giving them a program they already have, because they have to pay tuition, and the tuition in our area at a high school level is about \$500.

I want to try to do something in a meaningful way to help them, and this is the purpose of the amendment.

This is a lot of hogwash, especially coming from the Democratic Party, that is supposed to be representing those people, as well as from those people in the Republican areas who have them, to offer them something they already have.

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

Mr. WOJDAK. Mr. Speaker, I think it is beyond question that most members in this legislature really have it hard getting aid to nonpublic school students.

Mr. Mullen is correct. I live in a district that is probably 95 percent Roman Catholic with a very heavy parochial school population. I am very interested in helping them, Mr. Speaker. You know the type of district that I live in.

My point is that the vehicle we used yesterday is the way to help them. I do not think the way to help them is the method you are proposing, because you can say anything you care to, the matter is blatantly unconstitutional on its face and you know that.

In my opinion, you are really offering what amounts to a sham to these nonpublic school parents by suggesting this because in no fashion could that money ever, ever reach them.

When you talk about preserving the neighborhood-school concept and you infer that the Catholic-school students would be bused or driven miles from their home, that is just not the case. Part of the proposal that I made yesterday allows for the leasing of facilities through the intermediate units of the public schools. The amendment provides for the leasing of space for these various shared-time programs in the city of Philadelphia and, I am sure, in the five-county area of the southeastern region.

In Philadelphia, the public schools are now renting space other than on public school facilities. They are now renting church basements; they are now renting store fronts; they are renting facilities all over the city. I am sure the same is true of the suburban county districts.

What the amendment does is provide for lease arrangements. I am sure, with the lack of facilities we have in

Philadelphia, that the lease arrangements will be right on the parochial-school property. What we will be doing—and it is another mechanism for getting aid to nonpublic schools—is arranging, via leases, with the parochial schools for the use of that space. That, in my opinion, Mr. Speaker, is the way to go on this. It is not only my opinion, it is the opinion of the Pennsylvania Catholic Conference. Again, I would suggest that Mr. Mullen's amendment be defeated.

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

Mr. DOYLE. Mr. Speaker, would the gentleman, Mr. Mullen, consent to a brief interrogation?

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

Mr. M. P. MULLEN. I shall, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. DOYLE. Your amendment here before us now is for \$42 million, but you alluded to another amendment which you will offer tomorrow concerning \$120 million. Is that correct?

Mr. M. P. MULLEN. That is correct.

Mr. DOYLE. Would that be in addition to this \$42 million?

Mr. M. P. MULLEN. Yes. The position I took was simply this: I wanted no more than the moneys we were already entitled to. There is \$137,500,000 in that nonpublic school fund that they are talking about. The additional money, to make it \$169 million, is the \$2 million a month that we receive under existing law from a 10-percent yield from the cigarette tax, which is \$24 million plus the interest of \$178,000 a week that we get from investment of the funds.

Now certainly tomorrow that is going to be another debate and that is why I did not get involved with it today when we talked about that fund. I think that is a trust fund that has to be held for the benefit of the parents who may eventually get that money if the Court rules in their favor. So I know that we do not need \$169 million. I cannot argue with the Court. I do not agree with them, but when the Court says that something is unconstitutional, we have to accept it. I know that we cannot come up with a parent reimbursement fund and expect the Court to accept it after they have found it unconstitutional. So I concur that all of that money is not needed. I say that the only amount of money that would be needed would be the \$120 million which would be required to pay the parents of those students if the Court found that they were entitled to the money.

As to the other money, I will offer an amendment tomorrow to put that back into the general fund, which is \$49 million. The amount needed to fund this particular amendment is only \$42 million. I am not asking for money from any other area; I am only asking for money which the nonpublic school parents in all justice are entitled to and which we agreed to give them in prior legislation.

Mr. DOYLE. Mr. Speaker, as I see the situation right now, we already passed yesterday an amendment costing some \$29 million. The amendment before us now is for \$42 million, and tomorrow the amendment will be for the \$120 million. That adds up to more than even the \$169 million that was there, or projected, originally. That is not really the crux of it, because even if what

we have here and what was in yesterday were taken out, it still would not answer the basic problem that we have. The problem is not with the funding or the legislation that we here in Pennsylvania have passed in the prior years; it is with the United States Supreme Court.

In that respect I agree with Mr. Wojdak in that I believe the legislation which was introduced by Mr. Mullen is, perhaps, unconstitutional, at least in the respect that it stands more of a risk than what has been introduced by Mr. Wojdak and even Mr. Gleason in separate pieces of legislation. In the minority opinion of the Supreme Court, Chief Justice Burger said that the majority, by its decision, turned the Constitution on its head. And in that respect, if we put in the moneys here which Mr. Mullen asks, we are going to turn ourselves on our heads.

We have been there—this Commonwealth and this legislature—in the past for the aid to nonpublic schools. We have put our votes on the line to get them the funds that they need. I am quite content that we will do so in the future when the Supreme Court says that we can do it. When, as, and if the Supreme Court allows the \$120 million to be paid to the parents, the commitment of this legislature is that it will be paid, not only as a moral obligation but as a legal obligation as well.

I am quite content to rely on the letter sent around by Mr. Fetterhoff and use this \$169 million in the parent reimbursement fund for the present purposes of balancing the budget.

We have been there; we cannot do anything about the Supreme Court. It has not always been that way, thanks to legislators like Mr. Mullen, who fought so long and hard for this kind of legislation. We have come a long, long way. But for the present time, a vote against this amendment would not be indicative of a vote against aid to nonpublic schools or their parents. It simply is not that way under the present circumstances, and I would urge the members to vote down the amendment. Thank you.

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

Mr. M. P. MULLEN. Mr. Speaker, I am utterly amazed that Mr. Doyle, coming from the area in Delaware County where he comes from and the many parishes that I spoke to in Delaware County, would take this position.

First of all, we had \$33 million in the Governor's recommended budget for aid to nonpublic schools. That money would have been a reality if it were not for the Supreme Court decision. Now even with the Supreme Court decision, we have to admit that \$8.5 million of that \$33 million is, in fact, legitimate money that can be spent even under the Supreme Court decision.

Now if you compute what I am asking for, I am asking for nothing more than what we are already entitled to. I am asking for \$120 million which is already in the fund; I am not asking for anything more; that will be tomorrow. I am asking for \$42 million more, which we really are entitled to because I am telling you that there is \$49 million in the fund that we do not need. I am asking that \$42 million of that \$49 million be used for that specific purpose.

In regard to the \$20 million that Mr. Wojdak was referring to, we are already entitled to get that under existing law. If you want to send your children, for

example, to a vocational educational school anywhere you want to, you can do it now; you have shared time. But what we are trying to do is come up with a meaningful solution to the problem, and we do not do it by saying, well, if we come up with something that is constitutional in the future, maybe we will come up with some money. There will not be any money. For example, if we come up with something meaningful later on, where are we going to get the money to fund it? There will not be any money left.

This is the problem we faced in years gone by, and it is the same, identical problem now. If you want to give that explanation back in Delaware County, that is your privilege, but I think you are wrong.

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

Mr. DOYLE. Mr. Speaker, I will try to be brief. There are certain inaccuracies in what Mr. Mullen said about the money. It was \$29 million yesterday and it included \$6 million for the IAG program. The other moneys that were there yesterday were for the new program that went in yesterday by Mr. Wojdak and Mr. Gleason.

Mr. Mullen keeps saying that we are entitled to it. We would be entitled to it if we could spend it, but we cannot spend it because the Supreme Court has said that we cannot. And that is the problem. We are not any more entitled to it than they say we are, and for the present time I am quite willing to rely on the Pennsylvania Catholic Conference and Mr. Fetterhoff who said that he does not know whether or not what we are doing will stand a constitutional test.

We must work out legislation to get that money. When it is worked out we will get it and I am quite content, as I say, to rely on this legislature to provide the funds to fund the program.

Now it is making it very difficult on us when you say, how am I going to answer the people back home? Well, I think we have a dual responsibility: to answer the people back home, and to act in the interest of what we think is best but also to act in a responsible manner as a legislator for the entire Commonwealth of Pennsylvania. At this time that responsibility lies in passing the budget with what we have before us now. It is a dual responsibility which we must meet, and it can only be met in this instance in voting down the amendment and going with what we have as an agreement.

#### CONSTITUTIONAL POINT OF ORDER

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

Mr. RITTER. I rise to a point of order.

The SPEAKER. The gentleman will state it.

Mr. RITTER. The gentleman, Mr. Mullen, stated that his amendment was for the advance funding program fund to provide assistance to parents of children attending nonparochial schools who intend to go on to higher education. The Constitution, section 29 of Article III, says, and I quote: "No appropriation shall be made for charitable, educational . . ." et cetera, except ". . . in the form of scholarship grants or loans for higher educational purposes to residents of the Commonwealth enrolled in institutions of higher learning. . . ."

My point of order is: In view of the constitutional

language which says "enrolled"—not "intending to enroll" but "enrolled"—is this amendment constitutional?

The SPEAKER. Is the gentleman raising the point of constitutionality?

Mr. RITTER. Yes, Mr. Speaker.

#### PARLIAMENTARY INQUIRY

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

Mr. RYAN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RYAN. These pages have been handing out reams of paper, but the amendment, as I read it, simply states: "Advance Funding Program Fund to be administered by the Pennsylvania Higher Education Assistance Agency ..... 42,000,000".

Is there something that I am missing? Is there more to this amendment than what I have?

I am wondering if the Speaker would advise me if this is the amendment?

The SPEAKER. The amendment the Speaker has in front of him is exactly the amendment that the gentleman just read.

Mr. RYAN. All right.

Now what the debate evidently, as I listen to the debate, is concerning itself with is the constitutionality of another imagined bill like the Senate bill for workmen's compensation and occupational diseases, which I have since found out, incidentally, is not even introduced, and I suspect that is the same thing that we are talking about here.

As I understand again, this debate should be limited to this amendment—

The SPEAKER. The gentleman is correct.

Mr. RYAN. —and this amendment says that we are going to, if we adopt it, advance \$42 million to the advance funding program fund to be administered by the PHEAA.

I do not know what all the talk about constitutionality is or some imagined bill that I cannot read, I cannot see, I do not have before me but I hear people talking about. I am as willing to wait to see Mr. Mullen's bill, and then I will determine on my own whether or not it is constitutional, as I am to wait for Mr. Wojdak's imagined Senate bill that is taking care of the black lung people. So I will stick with Mr. Mullen on his imagined bill and vote in favor of it.

I would ask that the debate be limited to what we have before us and not the imagined bill.

The SPEAKER. That was quite a parliamentary inquiry.

Mr. RYAN. That was the answer, too.

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

Mr. RITTER. Mr. Speaker, I raised a point of order. I do not know if I got a ruling on it.

The SPEAKER. The gentleman, Mr. Ryan, made an appropriate observation.

The amendment which is before the House does not necessarily raise any constitutional questions, since the constitutional questions, if any, will be embodied in the implementing legislation, and that could be in any form.

Mr. RITTER. Mr. Speaker, a further question: Is there

an advance funding program fund currently in existence in this Commonwealth?

The SPEAKER. There may or may not be, but if there is not, it certainly does not raise any constitutional questions that the Chair is able to determine.

Mr. RITTER. I thank the Speaker.

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

For what purpose does the gentleman, Mr. Gallagher rise?

Mr. GALLAGHER. Mr. Speaker, on the issue which—

The SPEAKER. Will the gentleman yield?

The Chair has recognized the gentleman, Mr. Gleason. The Chair will get to the gentleman, Mr. Gallagher, in a moment.

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

Mr. GLEASON. I thank the Speaker and Mr. Gallagher.

Mr. Speaker, I am going to vote "no" on this amendment. I have to suggest to you and to the members of the House that this is going to be one of the toughest votes I have ever had to cast, but I did not see myself being elected and being paid to come down here to cast easy votes. But I think if we would pass this amendment the way it is right now, we would be doing something far worse than having to cast a tough vote.

For too long I have observed government on the state, the local, and the Federal levels overpromising and underperforming. If there is anything which contributes to the total lack of confidence and trust in government, it is the tendency of those of us in government to promise much more than we can perform and to raise the expectations of people far beyond the limit that they can be achieved.

I respect the gentleman from Philadelphia. I have great affection and admiration for him. He has fought long and hard and oftentimes alone to bring simple justice, distributive justice, to the children in the parochial schools and nonpublic schools. But I think we have a plan today, Mr. Speaker, that has a chance of being realized. But to go out to the parents of these children in nonpublic schools and say, yes, we have got \$42 million coming down the road for you, when we know or certainly should know that the chances of that are very slim, I think, at least unintentionally—I am not suggesting the gentleman is doing this intentionally—we are doing nothing but contributing further to that erosion of trust, that erosion of confidence, the people should have in their government.

For these reasons, and for the reason that I would like to be able to tell my daughter, who is going into the seventh grade in a parochial school, that those of us in government do on occasion talk straight and we try to do the right thing, I am going to suggest to the members of the House, as difficult as this vote may be for them who feel the Supreme Court decision was an injustice, an absurdity and an outrage, as I do, that they go with what can be realized, what has a chance of passage, that is, the amendments which came in before this House yesterday.

I would respectfully request and regretfully, too, that we vote "no."

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

Mr. GALLAGHER. Mr. Speaker, I oppose Mr. Mullen's amendment that they spoke of earlier. But the problem that he raised, which Mr. Ryan finds difficult to understand and which some of the members of the General Assembly do not understand, is that this amendment being offered now to the general appropriation bill in the amount of \$42 million for advance funding to be administered by the Pennsylvania Higher Education Assistance Agency is predicated upon the bill Mr. Mullen just introduced, which would authorize this agency to give grants to parents of elementary—and secondary—school children. That is what the \$42 million is for.

Any of us who have been here for a while understand that when you have the general appropriation bill before you, the best way to get the money in for the bill that you want covered is to try to put it in now.

Now this amendment, because of his bill that he introduced yesterday which would authorize PHEAA to distribute these funds as grants, is strictly unconstitutional.

#### PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman, Mr. Ryan, rise?

Mr. RYAN. I rise to the same parliamentary inquiry. The SPEAKER. The gentleman will state it.

Mr. RYAN. We seem to be getting involved in a debate about the constitutionality of a bill that I have not had an opportunity to examine.

I hear Mr. Gallagher, who I do not believe is learned in the law; I am not so sure that I am sometimes—

Mr. GALLAGHER. I am as learned as you are, Mr. Speaker.

Mr. RYAN. You probably are on this bill.

The SPEAKER. That is a phrase of art, Jim, and—

Mr. GALLAGHER. I know it is a phrase of art, but I have—

The SPEAKER. —I am sure the gentleman was not intending to disparage you.

Mr. RYAN. Pornographic art sometimes.

But in any event, I have listened to Mr. Gallagher pass on the constitutionality of an imagined bill that I have not seen—Mr. Wojdak, Mr. Mullen, Mr. Doyle, Mr. Gleason—and I object to someone saying what is or is not constitutional when it is not before us and I have not had a chance to see it.

And I am saying, Mr. Speaker, that the amendment puts \$42 million into the Pennsylvania Higher Education Assistance Agency. You are either in favor of doing that or you are not in favor of doing that. That is all that is before us.

After we get it over there, Mr. Gleason or Mr. Mullen can amend it out or can direct it out, but now I do not want anymore debate on the constitutionality of something I do not have before me.

The SPEAKER. The Chair intends to allow the debate, Mr. Ryan, because it is an integral part of the discussion. The Chair has been fair to both sides of the aisle and does not want to circumscribe anyone's rights in this House to be able to speak out on the entire subject matter.

Mr. RYAN. Well, then, Mr. Speaker, I would respectfully request that if we are going to debate a

bill that has no number, it be reproduced so that we can participate in the debate intelligently.

The SPEAKER. The bill is not being debated; it is being referred to as an aside in connection with the appropriation that is before the House.

Mr. RYAN. It is the heart of the whole matter, Mr. Speaker, and you know it. That is what this whole thing has been about—whether or not Mr. Mullen's bill is constitutional or unconstitutional; whether or not Mr. Ritter was right or wrong when he said somebody has to be enrolled in a school in order to use this \$42 million. This is the whole thing. None of us has seen it. Put it over in higher education and then we will take the money and give it for the black lung disease, or we will give it to Mullen's bill, or someone else's bill. But that is what is before us—\$42 million to higher education.

The SPEAKER. The Chair does not believe the point is well taken.

The gentleman, Mr. Gallagher, may proceed.

Mr. GALLAGHER. Mr. Speaker, I and many others would not be discussing this matter except that Mr. Mullen justified why he was introducing an amendment to put \$42 million in PHEAA. He has to justify what it is supposed to be for, and he told everyone of us what it is for. It is for aid to nonpublic school parents. That is what he said when he introduced this amendment. So we have to refer to things that Mr. Mullen referred to.

This would mean that, unless you are imagining on your own, then PHEAA could just spend \$42 million the way we do now. We do that constitutionally, because Article III, section 29, of our state constitution only permits us to give out scholarship grants for higher education. That was done in the 1968 Constitutional Convention right here in this Chamber. It was attempted to be put in there for all education, and it was struck down by the language that the convention put together, which was that it has to be for higher education.

Mr. Mullen has created the illusion that if we vote against his amendment, how dare we go back to our districts where we have large districts with parochial students, how dare we go back home if we vote against this.

Who is this man who is trying to chastise us on our vote? We are voting on a constitutional right that we received when we took our oath of office.

We know that what he is attempting to do is unconstitutional in Pennsylvania. It is not a matter that is before the Supreme Court. This is something we will face in our own districts. But I think he is creating an illusion by saying to the parents of the nonpublic students, I have \$42 million locked in here for you. If my bill—the nebulous bill as Mr. Ryan would like to call it—ever comes out of committee and I can prevail upon enough members to vote for it, then you are going to get these grants.

And if that thing ever became law in Pennsylvania, our own state supreme court would throw it right out, because it is very clear that it is unconstitutional.

I think what we are all trying to do now, this year, since the United States Supreme Court threw out the auxiliary services, is to put in the GA bill the funds as suggested by Mr. Wojdak and Mr. Gleason. We have a bill that has been introduced to prepare, in September, for the auxiliary services for all students in Pennsylvania which will be—

The SPEAKER. For what purpose does the gentleman, Mr. Ryan, rise?

Mr. RYAN. The same objection.

The SPEAKER. Well, the Chair has ruled on the objection, Mr. Ryan.

Mr. GALLAGHER. Mr. Speaker, do you object if I have the opportunity to have the same latitude that you just had?

The SPEAKER. The gentleman, Mr. Gallagher, may proceed.

Mr. GALLAGHER. I think, Mr. Ryan, you want to join Mr. Mullen. Go ahead and join him. Cast your vote that way, but let me have my opportunity to take the fog out of this room.

It is very important to those of us who live in suburbia outside of Philadelphia, and the illusion he is trying to create is not in good taste.

I think the amendment is not proper. It will not do what he has alluded to, and since it is the witching hour—time for adjournment—I just suggest that we pay attention to these remarks: It will not do what Mr. Mullen has alluded to, and I would suggest that we all vote “no.”

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

Mr. LaMARCA. Mr. Speaker, I had not intended to address myself to this issue today, but I suddenly find that there is more than one illusion creator in our body. We may point the finger at one member and say he is creating an illusion, but I think there is more than one illusion creator in here today.

It has been a rather strange day. I have never found so many advocates of the Pennsylvania Catholic Conference or the Supreme Court of the United States as I have suddenly found today. I cannot believe the kind words and I cannot believe the courtesy we are supposed to extend to that same conference when I have heard it said so many times on this floor that it is none of their business.

We are legislators and we are supposed to do what we are to do, but today, because someone had the wisdom to write what many people agree with, we suddenly find that the Pennsylvania Catholic Conference is supposed to be our guiding light.

Now I talked about illusions and I suggest to you that illusions have been cast here. The amendment before this body is pure and simple.

#### PARLIAMENTARY INQUIRY

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

Mr. W. D. HUTCHINSON. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. W. D. HUTCHINSON. Mr. Speaker, is it proper to characterize the motives of the members?

The SPEAKER. No; it is improper to characterize the motives of the members, and the Chair would hope that all speakers will refrain from endeavoring to do so.

Mr. W. D. HUTCHINSON. Thank you, Mr. Speaker. Mr. LaMARCA. I shall endeavor, Mr. Speaker.

As I said, the amendment before us is a relatively simple one. It involves \$42 million. It involves \$42 million in aid to a parochial school system, or better

yet and more properly, a private school system within this Commonwealth.

Now the question is simple. Can we or can we not afford to spend that \$42 million? Do we desire to do so? If we do or if we do not, that is the vote. How we are going to do it is a matter of implementing legislation. And for those of us to engage in this frivolous nonsense of the fact that possibly somebody has a plan that is unconstitutional, is beclouding this issue.

I am not going to let any vote be cast here today on the possibility that a bill is unconstitutional when a bill is not before you. The only question before you today is whether or not you desire to find \$42 million for the purposes that we know can be, under certain circumstances, properly and legally appropriated to the private school system.

You admit that you can indulge in the shared-time concept; you admit you can do it textbookwise; you admit you may be able to do it leasewise; you admit it can be done.

Now the manner in which you are going to do it is something you will determine later with implementing legislation, if you desire to do it. But let us not beat that amendment today with any phony nonsense that we have an illegal, unconstitutional manner in which we are going to use that money, because that has not been done.

Your vote here today has to be purely and simply on the line. Do you or do you not favor finding the money for this cause? Do you or do you not favor this cause? It is not whether you can or cannot allocate this money, because you can. And I, for one, will not be silent if you are going to vote on an illusion. You are either going to vote “yes” or “no” on that amendment, and the public had better understand that you can, if you so choose, do it.

If you do not, I do not criticize that vote. I do not urge you to vote one way or the other, but I urge you to vote fully with the knowledge that the public and the people of this Commonwealth have a right to know that you can, if you so desire, face this issue, and you need not get yourselves off the hook with a phony constitutional issue.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I agree with the gentleman, Mr. LaMarca, in his analysis. I do not think this issue is a question of constitutionality; I think it is simply a question of money.

And that is the reason I have taken this microphone, calmly, to remind the House of Representatives that yesterday we inserted into the budget more than \$31 million for aid to nonpublic school parents or their children. The question is whether or not we wish to insert another \$42 million now. I say we cannot afford it, and, therefore and for that reason, I am asking that you vote in the negative.

I think everybody who has served here with me knows that I have voted for every single aid-to-parochial-school bill which has come before us. I will do so again to the limit we can afford to do so. As I see the budget now, we reached that limit yesterday. We cannot go beyond it. And for that reason, I am asking for a negative vote.



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

Mr. BEREN. Thank you, Mr. Speaker.

Having learned from the debate and the people who have made it most recently that we are solely going to vote on the issue of the funding today, I suspect that a lot of the discussion on the constitutionality will be discussed again when this bill comes before us.

I would like to make a suggestion with regard to the question of constitutionality, and that is this: I have severe doubts about the constitutionality of Mr. Mullen's proposed legislation. However, I do know a way that it could become constitutional and resolve these doubts constitutionally; that is, by an amendment to our state constitution that would allow this type of reimbursement or voucher system to be made to parents of all the students in the Commonwealth.

My suggestion would be that when we get to our discussion of the legislation, we attack it that way and, if we do, we will resolve the question of constitutionality and can go on to fund the needy areas of education in the Commonwealth of Pennsylvania.

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

Mr. M. P. MULLEN. Mr. Speaker, I will be brief. I think we went a little bit too long on this.

I want to make it clear that the question, as Mr. Irvis clearly pointed out, is: Can we properly fund it? We are talking about a budget of \$4.7 billion or thereabouts.

I stated earlier in my remarks that we are already appropriating, without any question, \$2.2 billion for public education at the state level. The local school districts are appropriating that much again. So we are setting aside \$5 billion for public education to take care of two million children. I have no quarrel with that. I am 100 percent in favor of public education.

All I am asking you to do is to set aside a pittance in relation to the total budget, a pittance to try to help the children who number about 420,000 who are attending nonpublic schools. It is as simple as that.

I am not saying that my bill is the complete answer, but I say this: If we do not set that money aside, we are not going to be able to solve that problem.

Just in my city of Philadelphia today, we had 50,000 parents and children down there at the Parkway demonstrating their interest in trying to get their problems solved. I think all of us throughout the state have an obligation to set this money aside to try to solve it.

Now when you look at our unconstitutional bills, take the Purchase of Services Act. The bill was completely unconstitutional, but we funded it for 3 years. We got \$5 million the first year; we got \$18 million the second year; we got \$24 million the third year, and the bill was unconstitutional. Just like parent reimbursement, if the Court rules in our favor, which I think they will, we will get \$120 million there. So all I am asking you to do is set this money aside to help solve a real problem.

When we had the flood here in the state, we set aside 150 million. We did not know at that particular time just what we were going to do, but we set it aside. If we do not set this money aside today, we will not be able to solve the problem.

That is all it is. It is a question of whether you want to solve the problem.

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

Mr. TRELLO. Mr. Speaker, I will be very brief.

I have done a little research on this, and if you stop and think about it, if the nonpublic schools or parochial schools should close—and I do not believe for one minute that they ever will, but if they should—it would cost approximately \$4 billion to educate these kids in our public schools plus an additional \$5 million to house them. When you vote on this issue, think about that.

The SPEAKER. The Chair recognizes the minority leader.

Mr. BUTERA. Mr. Speaker, as we close today's debate, perhaps we leave it on a launching pad for tomorrow which is much more sound than that upon which we started today.

The majority leader's comments I could not agree with more. I differ with his conclusion, and that is, the issue we have to face in each of these amendments is whether we can afford it, whether we want to afford it.

It is not often that I note a contradiction of the majority leader, but I think in his earlier debate regarding the amendments offered by Mr. Foster, in which Mr. Foster took the same position, I believe the majority leader spoke differently. Mr. Foster was trying to say he did not think we could afford as much of an increase in public assistance as is proposed.

I would hope that tomorrow's debate would take the same posture throughout, and perhaps we will move quicker. We will be dealing with the real issues. And on the question of whether we can afford and whether we want to afford certain programs, we all know that that vote is not going to be final until probably the week after next, and that all we are doing now is giving the Senate our sentiments and our priorities. Whether we put \$42 million into the program advocated by Mr. Mullen, plus \$31 million into the program advocated by Mr. Wojdak, is meaningless. We are going to end up with one of those two programs and we all know that, and we may end up in a final vote on a conference report or on a concurrence in Senate amendments.

I think the thing to do is to vote today on whether we want to afford a program and then worry about the final vote at the proper time which will not be for a week or two.

Finally, I would hope that tomorrow the emotions of each of these votes are removed and we vote in the direction in which the majority leader suggests.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Messrs. M. P. MULLEN and WOJDAK and were as follows.

## YEAS—81

Abraham	Giammarco	Mrkonic	Sirianni
Anderson, J. H.	Gillette	Mullen, M. P.	Smith, L.
Bellomini	Halverson	Mullen	Spencer
Beren	Hamilton, J. H.	Myers	Stahl
Bittle	Hasay	Novak	Taylor
Bonetto	Haskell	O'Connell	Tayoun
Brandt	Hayes, D. S.	O'Keefe	Trello
Burns	Hepford	Perri	Ustynowski
Butera	Hill	Pitts	Valicenti
Cessar	Hopkins	Polite	Vann
Davis, D. M.	Itkin	Renninger	Wagner
Dicarlo	Katz	Renwick	Whelan
DiDonato	LaMarca	Rieger	Whittlesey

Dombrowski	Lederer	Ryan	Wilson
Fee	Lincoln	Salvatore	Wilt, R. W.
Fischer	Lynch	Scheaffer	Worrilow
Flaherty	McClatchy	Schmitt	Wright
Foster, A.	McGinnis	Scirica	Yahner
Gallen	McIntyre	Seltzer	Yohn
Geisler	Milliron	Shuman	Zearfoss
George			

## NAYS—111

Arthurs	Gillespie	McCall	Ross
Barber	Gleason	McCue	Ruggiero
Bennett	Goodman	McLane	Saloom
Berlin	Green	Mebus	Schweder
Berson	Greenfield	Menhorn	Shane
Blackwell	Grieco	Milanovich	Shelhamer
Bradley	Gring	Miller, M. E., Jr.	Shupnik
Brunner	Hammock	Miscevich	Smith, E.
Cimini	Hayes, S. E.	Moehlmann	Stapleton
Cohen	Hutchinson, A.	Morris	Stout
Cole	Hutchinson, W.	Noye	Sullivan
Cowell	Irvis	O'Brien	Taddonio
Crawford	Johnson, J.	O'Donnell	Toll
Cumberland	Kelly, A. P.	Oliver	Turner
Davies	Kelly, J. E.	Pancoast	Vroon
DeMedio	Kernick	Parker, H. S.	Walsh, T. P.
Deverter	Kistler	Perry	Wansacz
Dietz	Klingaman	Petrarca	Wargo
Dorr	Knepper	Pievsky	Weidner
Doyle	Kolter	Pratt	Westerberg
Dreibelbis	Kowalshyn	Prendergast	Wilt, W. W.
Eckensberger	Kusse	Pyles	Wojdak
Englehart	Laughlin	Rappaport	Zeller
Fisher	Lehr	Reed	Zord
Foster, W.	Letterman	Rhodes	Zwinkl
Fryer	Levi	Richardson	
Gallagher	Manderino	Ritter	
Garzia	Manmiller	Romanelli	
Geesey			

## NOT VOTING—11

Caputo	Gleeson	Miller, M. E.	Sweeney
Dininni	Laudadio	Musto	Thomas
Fawcett	McGraw	Shelton	

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

HOUSE BILL NO. 1336 AND AMENDMENTS  
TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Mr. Speaker, I move that House bill No. 1336, plus the amendments, be laid on the table.

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

## ADJOURNMENT

Mr. BERLIN moved that this House do now adjourn until Thursday, June 12, 1975, at 9:30 a.m., e.d.t.

On the question,  
Will the House agree to the motion?  
Motion was agreed to, and (at 6:14 p.m., e.d.t.) the House adjourned.