

# Legislative Journal

TUESDAY, NOVEMBER 13, 1979

Session of 1979

163rd of the General Assembly

Vol. 1, No. 80

## HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.s.t.

THE SPEAKER (H. JACK SELTZER) IN THE CHAIR

### PRAYER

THE HONORABLE THOMAS A. MICHLOVIC, member of the House of Representatives and guest chaplain, offered the following prayer:

Heavenly Father, as we meet again to take up our appointed tasks, we pause to honor and praise Thy name. We salute Thee as giver of every good and perfect gift and recognize Thee as the power for all mankind. We implore Thy guidance to lead us away from any temptation that would debase the high code of our sovereign Commonwealth. Help us to lead the citizens of Pennsylvania into bold, new approaches toward progress. Deliver us from the subtle evil of personal aggrandizement and grant us the wisdom and strength to employ our full powers in the pursuit of excellence.

We pray that we may never forget the allegiance we owe to Thee and may always remember to give Thee the thanks which rightly belongs to Thee for Thy bountiful love and tender care. Amen.

### PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

### JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Wednesday, October 31, 1979, will be postponed until printed.

### JOURNALS APPROVED

The SPEAKER. Are there any corrections to the House Journals of June 28, 29, 30, July 1, 2, 3, 4 and 9, 1979?

If not, and without objection, Journals are approved. The Chair hears none.

### HOUSE BILLS INTRODUCED AND REFERRED

**HB 1935** By Representatives GALLAGHER, SCHEAFFER, WILT, CIMINI, E. Z. TAYLOR, SHUPNIK, DeMEDIO, COWELL, D. R. WRIGHT, WARGO, WILSON, MILLER, BENNETT, DOMBROWSKI,

ZITTERMAN, COCHRAN, DeWEESE, ZELLER, REED, GIAMMARCO, GRIECO, RODGERS, McCALL, WACHOB and IRVIS.

An Act amending the act of October 11, 1972 (P. L. 899, No. 213), entitled "An act providing scholarships for certain dependents of members of the armed services \*\*\*\*" providing for an increase in the amount of the scholarship.

Referred to Military and Veterans Affairs, Nov. 1, 1979.

**HB 1936** By Representatives GALLEN, J. L. WRIGHT, JR., BURNS, FRYER and CALTAGIRONE.

A Joint Resolution proposing amendments to the Constitution of the Commonwealth of Pennsylvania, providing for a unicameral Legislature and making conforming changes.

Referred to State Government, Nov. 1, 1979.

**HB 1937** By Representatives D. M. O'BRIEN and PERZEL.

An Act amending the act of July 12, 1935 (P. L. 677, No. 255), entitled "An act of fix the status of officers and employes of the Commonwealth and political subdivisions thereof while in training with the armed forces in the United States," including reservists who are employed by the instrumentalities of the Commonwealth or its political subdivisions within the provisions of the act.

Referred to State Government, Nov. 1, 1979.

**HB 1938** By Representatives ALDEN and GIAMMARCO.

An Act requiring that certain information be conspicuously displayed in nursing homes.

Referred to Health and Welfare, Nov. 1, 1979.

**HB 1939** By Representatives E. Z. TAYLOR, E. R. LYNCH, E. H. SMITH, PITTS and VROON.

An Act amending Title 71 (State Government) of the Pennsylvania Consolidated Statutes, excluding certain persons from the definitions of "State employee."

Referred to State Government, Nov. 1, 1979.

**HB 1940** By Representatives WACHOB, SCIRICA, BERSON, GOEBEL, MILLER, KUKOVICH, DAWIDA, DeWEESE and ALDEN.

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

Referred to Judiciary, Nov. 1, 1979.

**HB 1941** By Representatives MURPHY, DAWIDA and CHESH.

An Act amending the "Business Improvement District Act of 1967," approved November 30, 1967 (P. L. 658, No. 305), providing for maintenance and administrative services.

Referred to Local Government, Nov. 1, 1979.

**HB 1942** By Representative J. L. WRIGHT, JR.

An Act amending the "Disposition of Abandoned and Unclaimed Property Act," approved August 9, 1971 (P. L. 286, No. 74), permitting municipalities to dispose of bicycles unclaimed for one year.

Referred to State Government, Nov. 1, 1979.

**HB 1943** By Representatives F. J. LYNCH, BRUNNER, FREIND, GANNON, ARTY, DURHAM and ALDEN.

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for special tax provisions for poverty.

Referred to Finance, Nov. 1, 1979.

**HB 1944** By Representatives ZWIKL, RITTER, BROWN, DiCARLO, M. R. CLARK, TELEK and SCHWEDER.

An Act amending "The Library Code," approved June 14, 1961 (P. L. 324, No. 188), further providing for distribution of appropriations for and to libraries.

Referred to Appropriations, Nov. 1, 1979.

**HB 1945** By Representatives DeWEESE, KUKOVICH, COHEN and BROWN.

An Act amending the "Disposition of Abandoned and Unclaimed Property Act," approved August 9, 1971 (P. L. 286, No. 74), further providing for the disposition of certain property.

Referred to State Government, Nov. 1, 1979.

#### HOUSE RESOLUTIONS INTRODUCED AND REFERRED

**Serial No. 144** By Representatives BOWSER, DOMBROWSKI, DiCARLO, CAPPABIANCA, S. E. HAYES, JR., WASS, SWIFT, LEVI, GLADECK, LASHINGER, W. W. FOSTER, CESSAR, PETERSON and HALVERSON.

House memorialize Pennsylvania State University to continue the nursing program at Behrend College.

In the House, Oct. 31, 1979

Referred to Rules, Nov. 1, 1979.

**Serial No. 145** By Representative IRVIS.

House of Representatives suspends the rights and privileges of Matthew J. Cianciulli, a member of the House of Representatives.

In the House, Oct. 31, 1979  
Referred to Rules, Nov. 1, 1979.

#### COMMUNICATIONS FROM GOVERNOR BILLS SIGNED BY GOVERNOR

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

APPROVAL OF HOUSE BILLS Nos. 815 and 1223.

Commonwealth of Pennsylvania  
Governor's Office, Harrisburg

November 1, 1979.

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

I have the honor to inform you that I have this day approved and signed House bill No. 815, Printer's no. 2134, entitled "An act authorizing the Department of General Services, with the approval of the Governor, to sell and convey 8,393.46 square feet, more or less of land situate in the Township of West Bradford, County of Chester and Commonwealth of Pennsylvania."

DICK THORNBURGH.  
GOVERNOR

November 1, 1979.

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

I have the honor to inform you that I have this day approved and signed House bill No. 1223, Printer's no. 2135, entitled "An act authorizing and directing the Department of General Services, with the approval of the Department of General Services, with the approval of the Department of Environmental Resources and the Governor, to grant and convey an easement and right-of-way to the Belle Coal Company, concerning certain riverbed land in Greene County, Pennsylvania."

DICK THORNBURGH.  
GOVERNOR

#### PENN STATE REPORT PRESENTED

The SPEAKER. The Chair is laying before the House a report from Penn State University pursuant to the requirements of Appropriation Act No. 19A.

(For report, see Appendix.)

#### LEAVES OF ABSENCE GRANTED

The SPEAKER. The Chair recognizes the majority whip.

Mr. S. E. HAYES. Mr. Speaker, I request leaves of absence for Messrs. CORNELL, GEESSEY, Mrs. DURHAM, Messrs. KANUCK and DININNI for today's session, and an extended leave for Mr. D. S. HAYES.

The SPEAKER. The Chair recognizes the minority caucus chairman.

Mr. GREENFIELD. Mr. Speaker, I request leaves of absence for Mr. KOWALYSHYN for today's session, and for Messrs. RIEGER and SCHMITT for the week's session.

The SPEAKER. Without objection, leaves are granted.

**MASTER ROLL CALL RECORDED**

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

The following roll call was recorded:

**YEAS—191**

Alden	Fryer	Mackowski	Scheaffer
Anderson	Gallagher	Madigan	Schweder
Armstrong	Gallen	Manderino	Scirica
Arty	Gamble	Manmiller	Serafini
Austin	Gannon	McCall	Seventy
Barber	Gatski	McClatchy	Shadding
Belardi	Geist	McIntyre	Shupnik
Beloff	George, C.	McKelvey	Sieminski
Bennett	George, M.	McMonagle	Sirianni
Berson	Giammarco	McVerry	Smith, E.
Bittle	Gladeck	Michlovic	Smith, L.
Borski	Goebel	Micozzie	Spencer
Bowser	Goodman	Milanovich	Spitz
Brandt	Grabowski	Miller	Stairs
Brown	Gray	Moehlmann	Steighner
Brunner	Greenfield	Mowery	Stewart
Burd	Grieco	Mrkonic	Street
Burns	Gruppo	Mullen, M. P.	Stuban
Caltagirone	Halverson	Murphy	Sweet
Cappabianca	Harper	Musto	Swift
Cessar	Hasay	Nahill	Taddonio
Chess	Hayes, S. E.	Novak	Taylor, E.
Cimini	Heffrick	Noye	Taylor, F.
Clark, B.	Hoeffel	O'Brien, B.	Telek
Clark, R.	Honaman	O'Brien, D.	Thomas
Cochran	Hutchinson, A.	O'Donnell	Trello
Cohen	Hutchinson, W.	Oliver	Vroon
Cole	Irvis	Perzel	Wachob
Coslett	Itkin	Peterson	Wagner
Cowell	Johnson, E.	Petrarca	Wargo
Cunningham	Johnson, J.	Piccola	Wass
Davies	Jones	Pievsky	Weidner
Dawida	Kernick	Pistella	Wenger
DeMedio	Klingaman	Pitts	White
DeVerter	Knepper	Polite	Williams
DeWeese	Knight	Pott	Wilson
DiCarlo	Kolter	Pratt	Wilt
Dietz	Kukovich	Pucciarelli	Wright, D.
Dombrowski	Lashinger	Punt	Wright, J. L.
Dorr	Laughlin	Pyles	Yahner
Duffy	Lehr	Rappaport	Yohn
Dumas	Letterman	Rhodes	Zeller
Earley	Levi	Richardson	Zitterman
Fee	Levin	Ritter	Zord
Fischer, R. R.	Lewis	Rocks	Zwinkl
Fisher, D. M.	Livengood	Rodgers	
Foster, A.	Lynch, E. R.	Ryan	Seltzer,
Foster, W.	Lynch, F.	Salvatore	Speaker
Freind			

**NAYS—0**

**NOT VOTING—12**

Cianciulli	Donatucci	Hayes, D. S.	Reed
Cornell	Durham	Kanuck	Rieger
Dininni	Geesey	Kowalshyn	Schmitt

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

**INSURANCE COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman from

Montgomery, Mr. Yohn.

Mr. YOHN. Mr. Speaker, I discussed with the members of the Insurance Committee yesterday, or some of the members of the committee, the possibility of a meeting tomorrow morning. We will not be having that meeting, and I wanted to announce that to all of the members who may have been anticipating it. We will be having a meeting of the committee to complete work on HB 1083 on Monday, November 26, at 10 a.m. Notices will be going out about that, but I want to notify everybody today that we will not be having a meeting tomorrow. Thank you.

**BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED**

**HB 1106, PN 2434 (Amended)** By Mr. YOHN

An Act providing for certain authorized agencies to receive from insurance companies information relating to fire losses;\*\*\*providing for the exchange and confidentiality and providing penalties.

Insurance.

**HB 1208, PN 1361** By Mr. YOHN

An Act amending "The Insurance Company Law of 1921," approved May 17, 1921 (P. L. 682, No. 284), permitting additional self-insurer policies for aggregate excess insurance.

Insurance.

**RESOLUTIONS REPORTED FROM COMMITTEE**

**HR 143, PN 2433 (Amended)** By Mr. RYAN

Pursuant to the powers granted to the House of Representatives under Article II, section 11 of the Constitution of the Commonwealth of Pennsylvania, the House of Representatives does hereby expel Matthew J. Cianciulli as a member of the House of Representatives of Pennsylvania.

Rules.

**HR 145, PN 2420 (Amended)** By Mr. RYAN

Pursuant to the powers vested in the House of Representatives under Article II, section 11 of the Constitution of the Commonwealth, the House of Representatives hereby immediately suspends the rights and privileges of Matthew J. Cianciulli, until such time as the United States Circuit Court of Appeals, or the United States Supreme Court, as the case may be, shall hear and finally determine such appeal, or until the term of such member is constitutionally terminated on November 30, 1980, whichever shall first occur.

Rules.

**HOUSE SCHEDULE AND REPUBLICAN CAUCUS**

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I am going to suggest that the House recess at this time for the purpose of caucusing. The minority leader and I have met and have gone over generally the calendar and have marked certain of the bills over temporarily, if we had run the calendar right now. So that the caucuses can meet, both of us, that is, both caucuses, and review some of the measures that we would like to run later today. Several of them are important bills. I am suggesting to

the Republican caucus that, in addition to the bills on the calendar, there is a resolution on the calendar that we want to caucus on. I would ask that all of the Republican members report to the caucus room on the declaration of the recess and that we return to the floor of the House at 3:30 p.m.

### DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, it is essential that the Democrats report immediately to the caucus room. We shall be caucusing on a number of bills, a number of amendments, many of them controversial. We shall also be caucusing on the event which will take place tomorrow, the determination on the part of the House whether or not to suspend or expel one of its members, and I would suggest to all Democrats that if you wish to understand the procedure which we will follow tomorrow, it is urgent that you appear in our caucus today. We will be in caucus immediately, Mr. Speaker, on the declaration of the recess. Thank you.

### RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, there will be a meeting of the Rules Committee on the declaration of the recess in my office.

### RECESS

The SPEAKER. Without objection, this House now stands in recess until 3:30 p.m.

### AFTER RECESS

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

### BILLS REMOVED FROM TABLE FOR CALENDAR

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. The Rules Committee has instructed me to move the following bills from the table to the active calendar, and I so move:

HB 182, PN 194; SB 882, PN 1314; SB 861, PN 1088; HB 1231, PN 2385; HB 1663, PN 2389; HB 1729, PN 2115; HB 1805, PN 2390; HB 1815, PN 2230; HB 1904, PN 2361; and HB 1905, PN 2391.

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

### BILLS REMOVED FROM TABLE AND REREFERRED TO APPROPRIATIONS COMMITTEE

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, the Rules Committee has instructed me to make a motion to remove the following bills from the table and rerefer them to the Appropriations Committee for the purpose of fiscal notes, and I so move:

HB 1404, PN 2411; HB 1708, PN 2090; HB 1727, PN 2417; HB 1221, PN 1374; HB 1814, PN 2418; HB 1897, PN 2354; and SB 507, PN 1313.

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

### RESOLUTION REPORTED FROM COMMITTEE

**HR 141, PN 2375**

By Mr. RYAN

The House of Representatives commend Bethlehem Steel Corporation for the invaluable support and contribution that it has provided to the well-being of our Commonwealth's economy and to many worthwhile community endeavors, and extend best wishes to the corporation and its stockholders and employees upon the occasion of its 75th anniversary.

Rules.

### AMENDMENT TO EXPENSE GUIDELINES

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, in addition, the Rules Committee today approved the attached amendment to the guidelines for Member's Home Office and District Expenses as adopted August 6, 1979. This amendment provides for leasing of mobile offices for use within the member's district.

RESOLVED, that the guidelines for Member's Home Office and District expenses as adopted August 6, 1979 are amended by the addition of a new sub-paragraph (d) to read as follows:

"(d) within the monetary limitations set forth in subparagraph (a) (1) above a member may lease a mobile office for use solely within the limits of his or her District and be reimbursed from this account for the rental and actual costs of operation thereof (exclusive of repairs). Liability insurance (not collision, fire or theft) on any such vehicle may be reimbursed under (a) (3)."

### CALENDAR BILL ON FINAL PASSAGE POSTPONED

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. DORR, the House resumed consideration on final passage of **HB 1468, PN 1696**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the use of plates on school buses.

### RECONSIDERATION OF VOTE ON HB 1468

The SPEAKER. The Chair recognizes the gentleman from Montour, Mr. Wagner.

Mr. WAGNER. Mr. Speaker, I move that the vote by which HB 1468 was agreed to as amended on third consideration be reconsidered.

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

Mr. DORR. I second the motion.

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?

RECONSIDERATION OF VOTE ON AMENDMENT TO HB 1468

The SPEAKER. The Chair recognizes the gentleman from Montour, Mr. Wagner.

Mr. WAGNER. Mr. Speaker, I move that the vote by which my amendment to HB 1468 was passed on the 10th day of October 1979, be reconsidered.

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

Mr. DORR. I second the motion.

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

The following roll call was recorded:

YEAS—179

Table listing names of members who voted 'YEAS' (179 total). Includes Alden, Fryer, Manderino, Schweder, etc.

NAYS—0

NOT VOTING—24

Table listing names of members who did not vote (24 total). Includes Beloff, Cianciulli, Cornell, etc.

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

On the question recurring,

Will the House agree to the amendments reoffered by Mr. WAGNER?

The following amendments were read:

Amend Title, page 1, lines 1 through 4, by striking out all of said lines and inserting Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the use of plates on school buses.

Amend Bill, page 1, lines 7 through 19; pages 2 through 4, lines 1 through 30; page 5, lines 1 through 4, by striking out all of said lines on said pages and inserting

Section 1. Section 1343 of Title 75, act of November 25, 1970 (P. L. 707, No. 230), known as the Pennsylvania Consolidated Statutes, is amended to read:

§ 1343. Use of school bus plates.

(a) General rule.—A motor vehicle bearing school bus registration plates shall be used exclusively for the transportation of children and no more than five chaperons to or from public, private, parochial or Sunday school or in connection with any public, private, parochial or Sunday school-related activity. Except when transporting children to and from public, private, parochial or Sunday school or public, private, parochial or Sunday school-related activities, the words "school bus" on the front and rear of the vehicle shall be concealed and the red and amber visual signals shall not be operable.

(a.1) Nonschool or educational use.—A motor vehicle bearing school bus registration plates may be used for the transportation of children of nonschool groups for charitable, educational or recreational purposes: Provided, That the licensee receives no remuneration whatsoever.

(b) Penalty.—Any person violating this section is guilty of a summary offense and shall, upon conviction, be sentenced to pay a fine of \$25.

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

AMENDMENTS WITHDRAWN

The SPEAKER. The Chair recognizes the gentleman from Montour, Mr. Wagner.

Mr. WAGNER. Mr. Speaker, I would like to withdraw my amendments.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—184

Alden	Freind	Madigan	Schmitt
Anderson	Fryer	Manderino	Schweder
Armstrong	Gallagher	Manmiller	Scirica
Arty	Gallen	McCall	Serafini
Austin	Gamble	McClatchy	Seventy
Barber	Gannon	McIntyre	Shadding
Belardi	Gatski	McKelvey	Shupnik
Bennett	Geist	McMonagle	Sieminski
Berson	George, C.	McVerry	Sirianni
Bittle	George, M.	Michlovic	Smith, E.
Borski	Giammarco	Micozzie	Smith, L.
Bowser	Goodman	Milanovich	Spencer
Brandt	Grabowski	Miller	Spitz
Brown	Gray	Moehlmann	Stairs
Brunner	Greenfield	Mowery	Steighner
Burd	Grieco	Mrkonic	Stewart
Burns	Gruppo	Mullen, M. P.	Street
Caltagirone	Halverson	Murphy	Stuban
Cappabianca	Harper	Musto	Sweet
Cessar	Hasay	Nahill	Swift
Chess	Hayes, S. E.	Novak	Taddonio
Cimini	Helfrick	Noye	Taylor, E.
Clark, B.	Hoeffel	O'Brien, B.	Taylor, F.
Clark, R.	Honaman	O'Brien, D.	Telek
Cochran	Hutchinson, A.	O'Donnell	Thomas
Cohen	Hutchinson, W.	Oliver	Trello
Cole	Irvis	Perzel	Vroon
Coslett	Itkin	Peterson	Wachob
Cowell	Johnson, E.	Petrarca	Wagner
Cunningham	Johnson, J.	Piccola	Wargo
Davies	Jones	Pievsky	Wass
Dawida	Kernick	Pistella	Weidner
DeMedio	Klingaman	Pitts	Wenger
DeVerter	Knepper	Polite	Wilson
DeWeese	Knight	Pott	Wilt
DiCarlo	Kolter	Pratt	Wright, D.
Dietz	Kukovich	Pucciarelli	Wright, J. L.
Dombrowski	Laughlin	Punt	Yahner
Dorr	Lehr	Pyles	Yohn
Duffy	Letterman	Rappaport	Zeller
Dumas	Levi	Richardson	Zitterman
Earley	Levin	Ritter	Zord
Fee	Lewis	Rocks	Zwikl
Fischer, R. R.	Livengood	Rodgers	
Fisher, D. M.	Lynch, E. R.	Ryan	Seltzer,
Foster, A.	Lynch, F.	Scheaffer	Speaker
Foster, W.	Mackowski		

NAYS—0

NOT VOTING—19

Beloff	Durham	Kanuck	Rieger
Cianciulli	Geesey	Kowalyshyn	Salvatore
Cornell	Gladeck	Lashingner	White
Dininni	Goebel	Reed	Williams
Donatucci	Hayes, D. S.	Rhodes	

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

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

CALENDAR BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 1155, PN 2068**, entitled:

An Act amending the "Pennsylvania No-fault Motor Vehicle Insurance Act," approved July 19, 1974 (P. L. 489, No. 176), re-defining certain terms; authorizing temporary suspension of coverage; \*\*\*.

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

HB 1155 TABLED

The SPEAKER. The Chair recognizes the majority leader.  
Mr. RYAN. Mr. Speaker, I move that HB 1155 be laid on the table.

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

HB 1155 REMOVED FROM TABLE FOR CALENDAR

The SPEAKER. The Chair recognizes the majority leader.  
Mr. RYAN. Mr. Speaker, I move that HB 1155 be taken from the table and placed on tomorrow's calendar.

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

The House proceeded to third consideration of **HB 1382, PN 2186**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, increasing the arbitration limit in all judicial districts.

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.  
The question is, shall the bill pass finally?

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

YEAS—172

Alden	Fryer	Manmiller	Schweder
Anderson	Gallagher	McCall	Scirica
Armstrong	Gallen	McClatchy	Seventy
Arty	Gamble	McIntyre	Shadding
Austin	Gannon	McKelvey	Shupnik
Barber	Gatski	McMonagle	Sieminski
Bennett	Geist	McVerry	Sirianni
Berson	George, C.	Michlovic	Smith, E.
Bittle	George, M.	Micozzie	Smith, L.
Borski	Giammarco	Milanovich	Spencer
Bowser	Goodman	Miller	Stairs
Brandt	Grabowski	Moehlmann	Steighner
Brown	Gray	Mowery	Stewart
Brunner	Greenfield	Mrkonic	Stuban
Burd	Grieco	Mullen, M. P.	Sweet
Burns	Gruppo	Murphy	Swift
Caltagirone	Halverson	Musto	Taddonio
Cappabianca	Harper	Nahill	Taylor, E.
Cessar	Hasay	Novak	Taylor, F.
Chess	Hayes, S. E.	Noye	Telek
Cimini	Helfrick	O'Brien, B.	Thomas
Clark, B.	Hoeffel	O'Brien, D.	Trello
Clark, R.	Honaman	O'Donnell	Vroon
Cochran	Hutchinson, A.	Oliver	Wachob
Cohen	Hutchinson, W.	Perzel	Wagner
Cole	Irvis	Peterson	Wargo
Coslett	Itkin	Petrarca	Wass
Cowell	Johnson, F.	Pievsky	Weidner

Cunningham	Johnson, J.	Pistella	Wenger
Davies	Jones	Pitts	White
Dawida	Kernick	Polite	Wilson
DeMedio	Knepper	Pott	Wilt
DeVerter	Knight	Pratt	Wright, D.
DeWeese	Kolter	Pucciarelli	Wright, J. L.
DiCarlo	Kukovich	Punt	Yahner
Dombrowski	Laughlin	Pyles	Yohn
Dorr	Lehr	Rappaport	Zeller
Duffy	Levi	Rhodes	Zitterman
Dumas	Levin	Ritter	Zord
Fee	Lewis	Rocks	Zwikel
Fischer, R. R.	Lynch, E. R.	Ryan	
Fisher, D. M.	Mackowski	Scheaffer	Seltzer,
Foster, A.	Madiqan	Schmitt	Speaker
Foster, W.	Manderino		

NAYS—11

Belardi	Freind	Livengood	Serafini
Dietz	Klingaman	Lynch, F.	Spitz
Earley	Letterman	Piccola	

NOT VOTING—20

Beloff	Durham	Kanuck	Rieger
Cianciulli	Geesey	Kowalshyn	Rodgers
Cornell	Gladeck	Lashingner	Salvatore
Dininni	Goebel	Reed	Street
Donatucci	Hayes, D. S.	Richardson	Williams

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

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

The House proceeded to third consideration of **SB 502, PN 669**, entitled:

An Act amending the act of June 13, 1967 (P. L. 31, No. 21), entitled "Public Welfare Code," removing a qualification of the Commissioner of Mental Health and making a repealer.

On the question,

Will the House agree to the bill on third consideration?

Mr. McCLATCHY offered the following amendments:

Amend Title, page 1, line 3, by inserting after "Commonwealth," prohibiting assistance to certain students and

Amend Sec. 1, page 1, line 7, by striking out "1111" and inserting 403

Amend Sec. 1, page 1, line 8, by inserting after "amended" by adding a subsection

Amend Bill, page 1, by inserting between lines 8 and 9 Section 403. Uniformity in Administration of Assistance; Regulations as to Assistance.—\* \* \*

(d) No general assistance shall be paid to any full-time student at a college or university who has not participated in a Federally subsidized program for dependent children within the previous five years.

Section 2. Section 1111 of the act is amended to read:

Amend Sec. 2, page 2, line 18, by striking out "2." and inserting 3.

Amend Sec. 3, page 2, line 21, by striking out "3." and inserting 4.

On the question,

Will the House agree to the amendments?

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

Mr. McCLATCHY. Mr. Speaker, my amendment is that amendment we passed earlier in another bill, denying college students welfare, except those who are already on public assistance.

It reads specifically, "No general assistance shall be paid to any full-time student at a college or university who has not participated in a Federally subsidized program for dependent children within the previous five years."

With this amendment, Mr. Speaker, we will save the Commonwealth approximately \$3 million.

On the question recurring,

Will the House agree to the amendments?

(The members proceeded to vote.)

VOTE STRICKEN

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I am sorry but I was busy trying to mark the calendar and did not pay attention. I suspect that there may be a number of people who did not pay attention as to what that amendment would do. Would the Speaker please strike the vote and let me ask Mr. McClatchy to explain it?

The SPEAKER. The clerk will strike the vote.

The Chair recognizes the gentleman from Montgomery, Mr. McClatchy, to again explain his amendment.

Mr. McCLATCHY. My amendment specifically reads: "No general assistance shall be paid to any full-time student at a college or university who has not participated in a Federally subsidized program for dependent children within the previous five years."

This is to get away from those college students who are applying for welfare at the same time they are a full-time student at college. As an example, my son could go to Penn State and I could pay his tuition. Once he is at Penn State, he could claim he is an emancipated adult. He is over 18 and would be, therefore, entitled to general assistance.

I think that this is an abuse of the law and this is what we are trying to get at, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Would the gentleman, Mr. McClatchy, stand for interrogation?

The SPEAKER. The gentleman indicates that he will. The gentleman, Mr. Irvis, may proceed.

Mr. IRVIS. Would the gentleman, Mr. McClatchy, answer the question: Suppose my son actually, being 20 years of age and never having been on welfare, does enroll at Penn State, does tell me that he wishes no longer to have any support from home, and is told by me he can have no longer any support from home. Under your amendment, is it not factual that my son could not get any welfare payments even though he is in fact emancipated?

Mr. McCLATCHY. No; he could get a welfare payment if he is emancipated.

Mr. IRVIS. Where in your amendment does it indicate that, sir?

Mr. McCLATCHY. I am sorry. If he was eligible, he would have to seek employment.

Mr. IRVIS. In other words, Mr. Speaker, if my son actually, in fact, undeniably, is emancipated, is getting no support from home, and if he were not in college, he would be eligible for welfare? The very fact that he is attending college and that he applies for welfare, under your amendment, would deny him that which he could have received if he were not a college student? Is that a fact?

Mr. McCLATCHY. That is correct.

Mr. IRVIS. Thank you, Mr. Speaker.

I would ask that the members consider very carefully if they wish to do that. It is one thing to deny a person welfare who is fraudulently attempting to collect it; it is an entirely different matter to deny it to a young man or a young woman who legitimately is in college, is legitimately emancipated, is legitimately asking for help from the state and is denied simply because he or she is enrolled full time in college.

I personally cannot vote for that and I would ask that the members vote in the negative. Thank you, Mr. Speaker.

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

Mr. RICHARDSON. Mr. Speaker, I would like to interrogate the majority Appropriations Committee leader.

The SPEAKER. The gentleman, Mr. McClatchy, indicates that he will stand for interrogation. Mr. Richardson may proceed.

Mr. RICHARDSON. Mr. Speaker, I would like to know whether or not you have any statistics on the number of fraudulent cases of welfare recipients and general assistance applicants who have applied for college and are abusing the law?

Mr. McCLATCHY. I am sure it is being abused. I have no statistics, but it is an abuse of the law that can happen and does happen though.

Mr. RICHARDSON. What I am asking for the record, Mr. Speaker, is specifically, do you have any record of a number of cases where this in fact has been a fraudulent situation, and what are the numbers of those persons who presently are applying for college on general assistance and who are abusing the law? Do you presently have any statistics on that?

Mr. McCLATCHY. It is not a fraudulent law right now. It is the way the law is being administered.

What we are trying to do is to remove this problem from the law. I think it is in an equitable position.

Mr. RICHARDSON. Let me add this question.

Mr. McCLATCHY. And roughly—Can I finish, please?

Mr. RICHARDSON. Sure.

Mr. McCLATCHY. And, roughly, 15,000, as we understand, people would be removed from the welfare rolls in this instance. Now, this does not—and I must reiterate, this does not—stop a student from getting a—

Mr. RICHARDSON. I cannot hear the speaker, Mr. Speaker, at all.

Mr. McCLATCHY. This does not stop a student from getting

a loan. This does not stop a student from getting a college grant. It does require him to work, which many of our sons and daughters do already in the off season, during the summer or during the time in college. I do not think it is any more of a hardship for those who are supposed to be on welfare than it is for those who are not. If my son decides to leave home, go to college, I think he can afford to go there if he gets a grant, if he gets a loan and if he gets a job. I think that is entirely practical and that is the direction I think we should go.

Mr. RICHARDSON. Now, Mr. Speaker, my question is again: How many students are there presently who are abusing this particular law?

Mr. McCLATCHY. My figure is about 1,500.

Mr. RICHARDSON. Your figure, what do you base it on?

Mr. McCLATCHY. It is the staff analysis.

Mr. RICHARDSON. It is the staff what?

Mr. McCLATCHY. Staff analysis.

Mr. RICHARDSON. Based on what?

Mr. McCLATCHY. Their analysis.

Mr. RICHARDSON. No, I am saying, based on what figures, what number, what percentages of individuals who presently go to college on general assistance? What are you basing it on? I do not think that is fair to stand before the members of this House and tell us 1,500 that that staff person gave you.

Mr. McCLATCHY. I am not questioning my staff's work. I have not gone into it that deeply. It is what they analyzed and it is what we came up with. I understand that in Centre County alone a couple of years ago, there were 700 cases, and that came right out of the county board of assistance rolls.

Mr. RICHARDSON. So what I am asking specifically, Mr. Speaker, is, if you do not have any knowledge of that and you are pushing this particular amendment and you have gotten some facts from your staff person, then where are the statistics that support the facts that are given by the staff person? Because what I want to raise is that where you are asking individuals who want to go to school that they should work, in most instances, people cannot get jobs. That is one of the problems that we have now in this Commonwealth, and that is one of the things we are fighting in this workfare situation. But to deny a person the right to go to school or to go to college and tell them that they must work, I just do not think it is fair. And if you have the statistics, it would seem to me to be helpful in this debate to be able to supply the statistics where there have been abuses of the law and the numbers that are broken down by the 67 counties where it is being abused.

Mr. McCLATCHY. Well, the statistic we mentioned to you, the 1,500, was based, I understand from the staff, on the cutting off of 1,500 people from the welfare rolls based upon similar language in an appropriation bill a couple of years ago. That is how many dropped off the welfare rolls because of this language.

Mr. RICHARDSON. But is it not a fact that the Governor struck that out, Mr. Speaker?

Mr. McCLATCHY. That might be true. We are changing the law.

Mr. RICHARDSON. Yes, that is my point, Mr. Speaker. Thank you very much.



I oppose this amendment very strongly. I think that there are a number of inadequacies in the fact that they are trying to change the law. If there are some abuses in the law, it would seem to me that it is the responsibility of this House of Representatives not to discriminate against those persons who do in fact want to go to college and who are of good standing and are not trying to take advantage of the system. It seems to me that it is always the case that the affluent society will try to demean a person who is less fortunate than they are. In this particular case, a person who wants to go to school and is trying to get knowledge to further his education, by your amendment you are denying that person that right. And I just do not understand for the life of me why again we have to battle the haves versus the have-nots, particularly when it stands to reason that there are a large number of persons who are going to school, who are on general assistance, who in fact are not abusing the law and you have not stated how many of those persons are. I would gather that the percentages of those going to college and who are on general assistance who are not abusing the law are about 95 percent and those who are the 5 percent that you are talking about and you are using that to discriminate against the other 95 percent who are doing well.

I would ask the members to vote "no" on this amendment. I raise the question of constitutionality in it also, because I think that the amendment is unconstitutional.

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Mowery.

Mr. MOWERY. Mr. Speaker, could I interrogate the sponsor of the amendment, please?

The SPEAKER. The gentleman, Mr. McClatchy, indicates that he will stand for interrogation. The gentleman, Mr. Mowery, may proceed.

Mr. MOWERY. Mr. Speaker, is it not true that some years back the interpretation by welfare assistance is exactly the way that this amendment is now reading?

Mr. McCLATCHY. That is correct.

Mr. MOWERY. Is it not true that it was a regulation that was recently put out by the department within the past year or so that has broadened the interpretation of the intent of the original law?

Mr. McCLATCHY. It has been several years with that interpretation, yes.

Mr. MOWERY. I received a call last week from a counselor in public assistance in Cumberland County. They were very concerned with the number of students who were coming in from Shippensburg State College to apply for food stamps. I think that it is right and proper to take care of those in need of public assistance. I find no fault with that at all, but I believe that the concern of the counselor was that many of those coming in already have full grants for their education, including room and board, and are now coming in, in addition, and asking for stamps. I think that this is wrong. I think it is beyond the intent of what the law was designed to do and what our intent was, and, therefore, I would recommend that we stop it.

If there are areas that we would need to be more lenient with, a certain select group, I am certainly in favor of that, but I do

not think that the intent was for people from good homes, who can afford an education to be given food stamps and general assistance. That part I am against. I see no other way to correct it than by passing this amendment, and then maybe going back and reviewing certain specific areas of need. Thank you.

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

Mr. STREET. Mr. Speaker, will the gentleman stand for a brief interrogation?

The SPEAKER. The gentleman, Mr. McClatchy, indicates that he will stand for interrogation.

It is the intention of the Chair to adjourn the House at an early hour, and the Chair hopes the members will please take their seats for the few remaining bills on the calendar which will be taken up.

The gentleman, Mr. Street, may proceed.

Mr. STREET. Mr. Speaker, how many total general assistance recipients do we have in the State of Pennsylvania?

Mr. McCLATCHY. Approximately 140,000.

Mr. STREET. And of that 140,000 we have 1,500 of those general assistance recipients who are in college and taking advantage of Federal grants and at the same time getting general assistance? Is that what you are saying here?

Mr. McCLATCHY. That is correct. Just to clarify how they do qualify, the grants — Federal grants, state grants, state loans, Federal loans — are exempt from the calculation of income.

Mr. STREET. Mr. Speaker, you consider 1,500 out of the 143,000 a large enough percentage to warrant legislation in this area?

Mr. McCLATCHY. It is a \$3-million cost to the state.

Mr. STREET. Those 1,500 on general assistance are costing the state \$3 million?

Mr. McCLATCHY. Three million dollars. That is correct.

Mr. STREET. Okay. Mr. Speaker, if these individuals are taken off general assistance, then do we have an alternative way for them to survive? Are there part-time jobs available, or do they drop out of school at that point and end up on general assistance anyhow and at the same time in 4 years they have no marketable skills, they have no marketable type of education, they have nothing that they can do other than stay on general assistance? Is that what we are trying to do here?

Mr. McCLATCHY. No, Mr. Speaker. I think that if you have gone around the colleges the way I have with my sons and daughters, you will find that any needy student, by and large, has a chance to make outside income. There are a great many programs at every university, every college, that will help the student get through if they do not have money. You add up all the programs that we have, and there should be no denial of funds for any needy student.

Mr. STREET. Then the problem is not necessarily with new legislation. The problem, in view of what you said, Mr. Speaker, is that these state-funded colleges and whatnot that we fund in this House, we are not bringing the type of pressure on those institutions to give these people these jobs of which you speak, so, consequently, they end up on general assistance. Or are

these people refusing these jobs; are they refusing to work?

Mr. McCLATCHY. Mr. Speaker, the problem is that it is so easy for college students to get on general assistance, so that is what they do. First they go around to the matriculation office; then they go around and get their books; at the same time the next stop is the public assistance office. They do not even look for a job.

Mr. STREET. Well, Mr. Speaker, is it not true that if the college is offering jobs and a general assistance recipient refuses the job, the law is that that recipient no longer qualifies for general assistance? Is that not true?

Mr. McCLATCHY. There has been a problem with seeking the jobs. There is no question about that. A lot of times they cannot seem to find the jobs that meet the requirements.

Mr. STREET. Fine. Then, Mr. Speaker, if they cannot find a job that meets their requirements, then I say there is nothing wrong with being on general assistance so that they can in fact survive. If they have been offered a job and they are on general assistance and if they have refused that job, then the law is that they no longer qualify as a recipient or are eligible for general assistance anyhow. Therefore, the existing law takes care of the problem of those individuals who are on general assistance and they are lazy, they will not work, and they just want to be on general assistance while they get an education. Is that not true?

Mr. McCLATCHY. No. That is not the same category for college students. Under the employables program they are exempt from having to take those jobs. They can get the public assistance. They do not have the same hard-and-fast requirements that a regular general assistance recipient has in seeking a job.

Mr. STREET. Well, then, Mr. Speaker, would it not be more intelligent that we have a law that would do away with that requirement that they not accept a job rather than having a law that will deny them access to general assistance at the same time while they are trying to pursue an education that is going to make them a viable, functional, productive individual in this society in which we live?

Mr. McCLATCHY. Mr. Speaker, I think this is a fair and equitable approach. I am saying to you that I do not think there is any college student now who, with all the grant-in-aid programs and the job opportunities offered to them at the college, will have a problem. I think this law will get at the problem we are trying to solve.

Mr. STREET. I have nothing further, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Clarion, Mr. Wright.

Mr. D. R. WRIGHT. Mr. Speaker, I rise to support the amendment. I have spoken on this question before, and the question has been raised as to what the magnitude of the problem is. I do not know what the magnitude of the problem is except that I know in Clarion County there are about 250 students on welfare, and out of that number about 150 either have tuition and/or board and room or both paid.

I have no objection to those persons who legitimately need welfare getting it, but I do not think that welfare was ever intended to be a stipend or a scholarship program for our

students, and I support the amendment.

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

Mr. DeVERTER. Mr. Speaker, just a brief comment about what Mr. McClatchy referred to earlier with respect to Centre County. As you all know, Penn State University is located in that county, and not too far away is Lock Haven State College in Clinton County. The Centre County Board of Assistance several years ago called us in — members of the General Assembly at that time, including Representative Letterman, myself, and Representative Wise at that time — and sat down and gave us a rather long and detailed littany of what was occurring, where students who were receiving in total, on an average, almost \$5,000 a year in grants and loans were also coming in and becoming eligible because of a department regulation that that money could not be considered as part of their income, and they were receiving those kinds of moneys. At that point I think it was around 700 or 800 students, and they were coming in every week, and it became a question because of the magnitude of the number, of their not being able to check out whether these students were working or whether they were seeking employment.

I think Mr. McClatchy's amendment is a reasonable attempt to bring this whole problem into focus and bring it under control. If we continue to let this escalate—and I feel Mr. McClatchy and the staff's estimates are conservative—we are going to have a situation that I just do not quite know how you are going to deal with, because it is going to become more and more and more costly.

As it affects those children who are on aid to dependent children, that is one thing, but as it affects those who become emancipated or even nonemancipated, I think it is time to bring a halt to that kind of, really, deception of our welfare system. Thank you.

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

Mr. J. J. JOHNSON. Mr. Speaker, could I interrogate Mr. McClatchy?

The SPEAKER. The gentleman, Mr. McClatchy, indicates he will stand for interrogation.

Mr. J. J. JOHNSON. I have only one question, Mr. Speaker. If you can tell me how many foreign students are in this state enjoying the benefits from taxpayers, I would like to know.

Mr. McCLATCHY. How many foreign students?

Mr. J. J. JOHNSON. Yes, sir.

Mr. McCLATCHY. I do not know that answer.

Mr. J. J. JOHNSON. Thank you.

Mr. Speaker, I am concerned about what Mr. McClatchy is trying to do with 1,500 students. We have been reading in the papers over the weekend about 70,000 students coming from a country, coming here and enjoying the luxury and the fruits of this country, and here we are talking about 1,500 students. Once these students graduate from college, they will still be here in the United States. They will add to the economy, and here we are trying to knock 1,500 students off the welfare rolls. What are we doing here? We have a job to do here in this

country, too, Mr. Speaker. We are willing to pay for the jobs that need to be done here because of the economy, and it is about time that we stop trying to knock welfare kids off the welfare rolls. You are talking about 1,500. You are not talking about the 70,000 students who are here enjoying the taxes that we are spending.

So I am asking everyone in this House to stop and think what we are trying to do here today. Let us defeat this amendment and go on about trying to do things that are going to benefit this country. Thank you.

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

Mr. A. C. FOSTER. Mr. Speaker, as I listen to the debate on this and the fact that we are talking about emancipated students or speaking to circumvent the original intent of the welfare program, I can only say that if they are so eager to be emancipated from their parents and so eager to be emancipated from so many other aspects of their society, I would think they would certainly want to be emancipated from welfare also. So I would urge that we give them that opportunity and vote in favor of this amendment.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—150

Alden	Foster, W.	McClatchy	Shupnik
Anderson	Freind	McKelvey	Sieminski
Armstrong	Fryer	McVerry	Sirianni
Arty	Gallen	Michlovic	Smith, E.
Austin	Gamble	Micozzie	Smith, L.
Belardi	Gannon	Milanovich	Spencer
Bennett	Gatski	Miller	Spitz
Bittle	Geist	Moehlmann	Stairs
Bowser	George, C.	Mowery	Steighner
Brandt	George, M.	Mrkonic	Stewart
Brown	Goodman	Murphy	Stuban
Brunner	Grabowski	Musto	Swift
Burd	Greenfield	Nahill	Taddonio
Burns	Grieco	Novak	Taylor, E.
Caltagirone	Gruppo	Noye	Taylor, F.
Cessar	Halverson	O'Brien, B.	Telek
Chess	Hasay	O'Brien, D.	Thomas
Cimini	Hayes, S. E.	Perzel	Trello
Clark, B.	Helfrick	Peterson	Vroon
Clark, R.	Honaman	Piccola	Wachob
Cochran	Hutchinson, A.	Pievsky	Wagner
Cole	Hutchinson, W.	Pistella	Wargo
Coslett	Johnson, E.	Pitts	Wass
Cowell	Kernick	Polite	Weidner
Cunningham	Klingaman	Pott	Wenger
Davies	Knepper	Pratt	Wilson
Dawida	Kukovich	Punt	Wilt
DeMedio	Laughlin	Pyles	Wright, D.
DeVerter	Lehr	Ritter	Wright, J. L.
DeWeese	Letterman	Rocks	Yahner
Dietz	Levi	Rodgers	Yohn
Dombrowski	Livengood	Ryan	Zeller
Dorr	Lynch, E. R.	Scheaffer	Zitterman
Duffy	Lynch, F.	Schmitt	Zord
Fee	Mackowski	Schweder	Zwinkl
Fischer, R. R.	Madigan	Scirica	
Fisher, D. M.	Manmiller	Serafini	Seltzer,
Foster, A.	McCall	Seventy	Speaker

NAYS—36

Barber	Giammarco	Kolter	Pucciarelli
Berson	Gray	Levin	Rappaport
Borski	Harper	Manderino	Rhodes
Cappabianca	Hoeffel	McIntyre	Richardson
Cohen	Irvis	McMonagle	Shadding
DiCarlo	Itkin	Mullen, M. P.	Street
Dumas	Johnson, J.	O'Donnell	Sweet
Earley	Jones	Oliver	White
Gallagher	Knight	Petrarca	Williams

NOT VOTING—17

Beloff	Durham	Hayes, D. S.	Lewis
Cianciulli	Geesey	Kanuck	Reed
Cornell	Gladeck	Kowalshyn	Rieger
Dininni	Goebel	Lashingner	Salvatore
Donatucci			

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

On the question,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—163

Alden	Freind	McCall	Serafini
Anderson	Fryer	McClatchy	Seventy
Armstrong	Gallagher	McKelvey	Shupnik
Arty	Gallen	McMonagle	Sieminski
Austin	Gamble	McVerry	Sirianni
Belardi	Gannon	Michlovic	Smith, E.
Bennett	Gatski	Micozzie	Smith, L.
Bittle	Geist	Milanovich	Spencer
Borski	George, C.	Miller	Spitz
Bowser	George, M.	Moehlmann	Stairs
Brandt	Goodman	Mowery	Steighner
Brown	Grabowski	Mrkonic	Stewart
Brunner	Greenfield	Mullen, M. P.	Stuban
Burd	Grieco	Murphy	Sweet
Burns	Gruppo	Musto	Swift
Caltagirone	Halverson	Nahill	Taddonio
Cappabianca	Hasay	Novak	Taylor, E.
Cessar	Hayes, S. E.	Noye	Taylor, F.
Chess	Helfrick	O'Brien, B.	Telek
Cimini	Hoeffel	O'Brien, D.	Thomas
Clark, B.	Honaman	Perzel	Trello
Clark, R.	Hutchinson, A.	Peterson	Vroon
Cochran	Hutchinson, W.	Petrarca	Wachob
Cole	Johnson, E.	Piccola	Wagner
Coslett	Kernick	Pievsky	Wargo
Cowell	Klingaman	Pistella	Wass
Cunningham	Knepper	Pitts	Weidner
Davies	Knight	Polite	Wenger
Dawida	Ryan	Pott	Wilson
DeMedio	Kukovich	Pratt	Wilt
DeVerter	Laughlin	Pucciarelli	Wright, D.
DeWeese	Lehr	Punt	Wright, J. L.
DiCarlo	Letterman	Pyles	Yahner
Dietz	Levi	Ritter	Yohn
Dombrowski	Levin	Rocks	Zeller

Dorr	Livengood	Rodgers	Zitterman
Duffy	Lynch, E. R.	Ryan	Zord
Fee	Lynch, F.	Scheaffer	Zwikl
Fischer, R. R.	Mackowski	Schmitt	
Fisher, D. M.	Madigan	Schweder	Seltzer,
Foster, A.	Manmiller	Scirica	Speaker
Foster, W.			

NAYS—22

Barber	Gray	McIntyre	Richardson
Berson	Harper	O'Donnell	Shadding
Cohen	Irvis	Oliver	Street
Dumas	Itkin	Rappaport	White
Earley	Johnson, J.	Rhodes	Williams
Giammarco	Jones		

NOT VOTING—18

Beloff	Durham	Kanuck	Manderino
Cianciulli	Geesey	Kowalshyn	Reed
Cornell	Gladeck	Lashingner	Rieger
Dininni	Goebel	Lewis	Salvatore
Donatucci	Hayes, D. S.		

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

Ordered, That the clerk return the same to the Senate with information that the House has passed the same with amendment in which concurrence of the Senate is requested.

The House proceeded to third consideration of **HB 1632, PN 2388**, entitled:

An Act making an appropriation to the Department of Public Welfare for the purchase of social services.

On the question,

Will the House agree to the bill on third consideration?

Miss SIRIANNI offered the following amendment:

Amend Sec. 1, page 1, line 5, by striking out "\$607,000" and inserting \$507,000

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the lady from Susquehanna, Miss Sirianni.

Miss SIRIANNI. Mr. Speaker, I rise in an attempt to limit the abuse of the taxpayer in this Commonwealth. In the name of providing legal services for the poor, we find widescale waste of the taxpayer's money which we are obligated to watch over. I believe that the Appropriations Committee was very generous in releasing HB 1532 in the first place with a supplemental appropriation of \$607,000. It should be noted that this supplemental appropriation will raise \$1.8 million in Federal funds, and these Federal funds could have otherwise been used for other services to the poor, to the aged, to the disabled, and for any other social services which the poor might have needed.

I have taken the opportunity to review the material presented to the Health and Welfare Committee when they studied this issue and I have reviewed these materials submitted in the Appropriations Committee with regard to this issue. I am convinced that there is a need to have the Pennsylvania Legal Service Center and their subcontractors, including

Community Legal Services in Philadelphia, tighten their belts and stop wasting our money.

We have seen documented and never refuted that \$650,000 is spent by the Legal Service Center for the service of not one single client, and we have seen the audit that took exception to 27 percent of the cases funded under this contract, and we have all seen the excessive lobbying done by these organizations and we have seen a whole host of other questionable practices by this organization.

Mr. Speaker, my amendment proposes to reduce the appropriations in this bill from \$607,000 to \$507,000. I believe, with this reduction, sufficient funds will be available for the legitimate legal needs of the poor, while still making available \$100,000 in state funds and \$300,000 in Federal funds for programs to the poor and the elderly and for other noble cost-effective social service programs which will aid Pennsylvania's impoverished citizens.

Mr. Speaker, I urge support for my amendment.

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

Mr. COHEN. Mr. Speaker, we first voted on this issue in the House about 6 months ago. About 6 months ago the majority of the House voted for full funding. The conference committee came up with a recommendation taking away \$707,000 and then there was a great deal of feeling that perhaps that was too much money taken away. Mr. McClatchy, I, Legal Services in Pennsylvania, other members of the legislature on both sides of the aisle have been working very hard over the last 6 months to try to work out a reasonable compromise.

This \$607,000 that we would get by defeating the Sirianni amendment, which I think is a good idea, is the result of a compromise. Another effect of the compromise is that there has to be lobbying registration by anyone who advocates on behalf of the poor here in the legislature. There has to be an audit by the Auditor General.

What came out of the Health and Welfare Committee and what came out of the Appropriations Committee is a tribute both to Mr. McClatchy's skill and to the conservative instincts of many members of the House of Representatives. It is no great victory for Legal Services to pass this bill in its current form. I think anybody who is concerned about Legal Services has won a very, very substantial victory as the result of this bill in its current form.

I do not think there is any need to take any more money away. I think the point has been made. The Legal Services' people are now deeply aware that there is a great deal of concern on what it perceives as excesses by members of the House. I would very much urge that this amendment be defeated and we stop making a political football out of this issue.

The SPEAKER. The Chair recognizes the lady from Susquehanna, Miss Sirianni.

Miss SIRIANNI. Mr. Speaker, when the budget was passed, that my colleague is talking about, the Governor said that he was satisfied with the budget and that we should live within the limits of that budget. So I think it behooves the Governor to see that the people who he has appointed in his departments

live within the limits of the budget. Therefore, I believe that the \$100,000 should be taken out and it should remain as it was when we passed the budget, because the Governor was agreeable at that time, and it is his responsibility to see that they live through it.

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

Mr. COHEN. Mr. Speaker, I am not accustomed to and I am somewhat puzzled about being a spokesman for Governor Thornburgh; however, the position of Governor Thornburgh is to favor \$707,000, not \$607,000, as in the current bill which Mr. McClatchy and I have agreed upon. So I would, therefore, suggest that anybody who is interested in what the Governor feels would do very well in voting "no" on this amendment.

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

The following roll call was recorded:

YEAS—78

Alden	Fryer	Madigan	Sirianni
Anderson	Gallen	Manmiller	Smith, E.
Armstrong	Gannon	McMonagle	Smith, L.
Arty	Geist	Micoozie	Spencer
Belardi	George, C.	Miller	Stuban
Bittle	George, M.	Moehlmann	Swift
Bowser	Grieco	Mowery	Taylor, E.
Brandt	Halverson	Mrkonic	Thomas
Burd	Hasay	Nahill	Vroon
Cimini	Hayes, S. E.	Noye	Wagner
Clark, B.	Helfrick	Perzel	Wass
Coslett	Honaman	Peterson	Weidner
Cunningham	Johnson, E.	Piccola	Wenger
Davies	Klingaman	Pitts	Wilson
DeVerter	Lehr	Polite	Wilt
Dietz	Letterman	Pott	Yahner
Dorr	Levi	Punt	Zeller
Fischer, R. R.	Lynch, E. R.	Pyles	
Foster, A.	Lynch, F.	Ryan	
Freind	Mackowski	Serafini	Speaker

NAYS—107

Austin	Foster, W.	McCall	Schweder
Barber	Gallagher	McClatchy	Scirica
Bennett	Gamble	McKelvey	Seventy
Berson	Gatski	McVerry	Shadding
Borski	Giammarco	Michlovic	Shupnik
Brown	Goodman	Milanovich	Sieminski
Brunner	Grabowski	Mullen, M. P.	Spitz
Burns	Gray	Murphy	Stairs
Caltagirone	Greenfield	Musto	Steighner
Cappabianca	Gruppo	Novak	Stewart
Cessar	Harper	O'Brien, B.	Street
Chess	Hoeffel	O'Brien, D.	Sweet
Clark, R.	Hutchinson, A.	O'Donnell	Taddonio
Cochran	Hutchinson, W.	Oliver	Taylor, F.
Cohen	Irvis	Petrarca	Telek
Cole	Itkin	Pievsky	Trello
Cowell	Johnson, J.	Pistella	Wachob
Dawida	Jones	Pratt	Wargo
DeMedio	Kernick	Pucciarelli	White
DeWeese	Knepper	Rappaport	Williams
DiCarlo	Knight	Rhodes	Wright, D.
Dombrowski	Kolter	Richardson	Wright, J. L.
Duffy	Kukovich	Ritter	Yohn
Dumas	Laughlin	Rocks	Zitterman
Earley	Levin	Rodgers	Zord

Fee	Livengood	Scheaffer	Zwikel
Fisher, D. M.	Manderino	Schmitt	

NOT VOTING—18

Beloff	Durham	Kanuck	McIntyre
Cianciulli	Geesey	Kowalshyn	Reed
Cornell	Gladeck	Lashinger	Rieger
Dininni	Goebel	Lewis	Salvatore
Donatucci	Hayes, D. S.		

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

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

The SPEAKER. This bill has been considered on three different days and agreed to and is now on final passage.  
The question is, shall the bill pass finally?

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

Mr. ZELLER. Mr. Speaker, I do not know whether it would have made any difference or not, and we are passed the amendment, but I only wish that I had spoken. We just passed a lawyers' welfare program. We have now set up some of those who cannot cut the buck out there; they can get into the Department of Welfare and make out real good. So as far as I am concerned, it is one awful bill now. So it is about time, instead of taking care of these lawyers, we knock this thing down and let us get on with the regular order of business.

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

Mr. DeVERTER. Mr. Speaker, I will attempt to be brief because I know that the hour is getting late.

Recently I requested some information that fell into my hands, probably a little by accident, and I suspect that we could drag this debate on forever with respect to Title III funding for our AAA agencies at home. My concern centers around the fact that we are about to dump another \$600,000 into a program while, at the same time, area agencies on aging are going to be required to provide some of their Title III money to provide the same kinds of service.

I am not opposed—and I do not want it misconstrued by this Assembly—to having those who are truly in need be provided genuine legal services. But you should know that in the calendar year 1978, 14 of the 49 area agencies on aging devoted \$500,000 to legal services. The majority of those funds were from Title XX.

In a recent memorandum that was delivered to our staff, we find that the newly created Department of Aging—for those of you particularly in Philadelphia—is interested in making a grant of approximately \$100,000 to two corporations down there — the Older Philadelphians Legal Services Plan and the Senior Citizens Judicare Project. I would think in light of those numbers, and with what the AAA's are going to be required to do at some point—it is not clearly defined as yet, but at some point—they are going to have to provide additional legal services which are going to duplicate or overlap those which are

now presently provided by legal services' groups around this state. In addition to that—and I know there are a lot of counter-arguments to it—they are going to be required to contract for those services with organizations that can provide legal services. Now where is the most likely prospect for them to get those? That is right within the Legal Services' organization, more commonly known as Pennsylvania Legal Services Center.

Mr. Speaker, I do not want to dwell on this, but it seems to me we are fast approaching a point where we are outstripping some segments of our society with one type of service as opposed to another, and I just have a great concern and feeling that the \$600,000 we are presently looking at—which in many respects, even in my little county up in central Pennsylvania, is going to be putting \$1,000 more into legal services this year—those dollars that we are going to expend today could be better utilized in other areas to provide other services that people desperately need, included in which, of course, are energy, rebates, and things of that type that many members here have a concern about.

I intend to vote against this proposal, because with the material and background I have here, I want to see some experience develop as to how much more money is being dumped into this area before we again spend over half a million dollars. Thank you, Mr. Speaker.

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

Mr. STREET. Mr. Speaker, I withdraw my comments at this time.

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

Mr. KUKOVICH. I think I can speak to this issue with some degree of expertise, because prior to running for office I served on the board of directors of Laurel Legal Services, which serves a five-county area in southwestern Pennsylvania. It bothers me a little bit that most of the debate about this bill is centered around Community Legal Services and the problems of Philadelphia. I think the members should realize that there are 20 other legal services servicing every county in this state, and with the money they have had, they have actually had no increase, and if you consider inflation, they have actually had a decrease in the funds that have been available to them over the last few years. Just in Laurel Legal Services, because of this cut from the Governor's original proposed budget, there are three spots for paralegals which are not being filled, there are three spots for attorneys which are not being filled, and a couple secretarial spots that are currently not being filled. That might not seem like much, but we are talking about hundreds of people in Westmoreland County who are not being serviced. I know for a fact, because I have worked with those people, that they certainly have no time to spend on lobbying activities which seem to have an adverse effect on some of the members here in Harrisburg.

In response to the comments on the area agencies on aging, in Westmoreland County, for example, the aging office works in perfect conjunction with Legal Services. The funds that Legal Services receives from title 20 through aging are used solely for

the use of representing elderly people. Whether it is to fight for their social security benefits or whatever, that money is strictly segregated and used solely for elderly problems. There is no overlap there.

There are so many people who are serviced across this state—I think the figures are roughly 90,000—and for the most part, even with the little money the legal services have, they are only servicing about 16 percent of those who are eligible for those services. They are not running wild with this money. They are not giving a lot of extra work to attorneys. They are doing the bare necessities of life for the poor people who need some legal help.

I would urge your support for this much-needed legislation.

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

Mr. A. C. FOSTER. I happened to be present in the building when the demonstration occurred in support of additional funds for this particular agency, and I must say that if accepted lobbying procedure should be shouts, curses, epithets, and the mouthing of obscenities, then maybe their lobbying efforts could be considered effective. But I will tell you, I was utterly disgusted with the scene that occurred in the rotunda, and I am curious to know how many of our tax dollars went about the construction of that particular demonstration.

I would urge a negative vote on the bill until we have a better accounting of how the funds are used and whether they will be used for the furtherance of any such effort in the future.

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

Mrs. HARPER. I am very fortunate. I happen to have a nephew who is a graduate of Harvard Law School and I can get community legal services at a reasonable price. But I have constituents who come into my office everyday begging for legal services, with all kinds of problems. You really would have to visit Philadelphia and an office like mine to find out just how badly these services are needed.

I happen to be a humanitarian, and just because I can afford services, I know thousands of people who cannot afford services and that is why I ask you to support this bill. Thank you.

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

Mr. STREET. Mr. Speaker, I would just like to make a few brief comments in answer to several comments that I have heard. In answer to the questions that were raised by the gentleman who gave reference to the demonstration that was held in the rotunda, I understand what happened at that particular time. I also understand that there were no community legal funds used that bused those people here to Harrisburg. Those funds came from agencies in Philadelphia that specifically give donations to nonprofit organizations who sponsor bus trips for constituents who wish to come to Harrisburg or go to Washington and lobby.

Let me say that I, too, have a severe problem with Community Legal Services because I represent the poorest district in the entire Commonwealth, 181st district, in the heart

of north central Philadelphia. We met with the Community Legal Services' lawyers and we resolved some of our problems in terms of what will be expected by those lawyers in reference to serving the constituents and dealing with the social need for which they are funded, and that need is to provide a legal service to the disadvantaged. We have been assured that this is going to happen. And I assure this body that those of us who represent the poor are more concerned about our constituents getting service than we are about Community Legal Service lawyers getting paid. We fought with those lawyers down there during the last month, and I can assure you, because we did not take any weak positions in terms of what was expected from those lawyers if they get this funding, and I can say with a degree of confidence that we feel that Community Legal Services (1) will do better; (2) will be responsive; and (3) will try to upgrade and up the number of constituents and the number of poor that are being dealt with in—and I can only speak for—the Philadelphia area.

With that, Mr. Speaker, I urge that we pass HB 1632.

On the question recurring,  
Shall the bill pass finally?

Agreeable to the provisions of the Constitution, the following roll call was recorded:

**YEAS—142**

Austin	George, C.	McClatchy	Scheaffer
Barber	George, M.	McIntyre	Schmitt
Bennett	Giammarco	McKelvey	Schweder
Berson	Goodman	McMonagle	Scirica
Borski	Grabowski	McVerry	Seventy
Bowser	Gray	Michlovic	Shadding
Brandt	Greenfield	Milanovich	Shupnik
Brown	Grieco	Miller	Sieminski
Brunner	Gruppo	Moehlmann	Smith, E.
Caltagirone	Halverson	Mowery	Spencer
Cappabianca	Harper	Mrkonic	Spitz
Cessar	Hayes, S. E.	Mullen, M. P.	Stairs
Chess	Helfrick	Murphy	Steighner
Clark, R.	Hoeffel	Musto	Stewart
Cohen	Honaman	Nahill	Street
Cole	Hutchinson, A.	Novak	Stuban
Coslett	Hutchinson, W.	Noye	Sweet
Cowell	Irvis	O'Brien, B.	Taddonio
Cunningham	Itkin	O'Brien, D.	Telek
Davies	Johnson, E.	O'Donnell	Thomas
Dawida	Johnson, J.	Oliver	Trello
DeMedio	Jones	Peterson	Wachob
DeWeese	Kernick	Petrarca	Wagner
DiCarlo	Knepper	Piccola	Wargo
Dombrowski	Knight	Pievsky	Wass
Duffy	Kolter	Pistella	White
Dumas	Kukovich	Polite	Williams
Earley	Laughlin	Pucciarelli	Wilt
Fee	Letterman	Pyles	Wright, D.
Fisher, D. M.	Levi	Rappaport	Wright, J. L.
Foster, W.	Levin	Rhodes	Yahner
Freind	Livengood	Richardson	Yohn
Gallagher	Lynch, E. R.	Ritter	Zitterman
Gamble	Lynch, F.	Rocks	Zord
Gannon	Manderino	Rodgers	Zwinkl
Gatski	McCall		

**NAYS—45**

Alden	Dietz	Madigan	Smith, I.
Anderson	Dorr	Manmiller	Swift

Armstrong	Fischer, R. R.	Micozzie	Taylor, E.
Arty	Foster, A.	Perzel	Taylor, F.
Belardi	Fryer	Pitts	Vroon
Bittle	Gallen	Pott	Weidner
Burd	Geist	Pratt	Wenger
Burns	Hasay	Punt	Wilson
Cimini	Klingaman	Ryan	Zeller
Clark, B.	Lehr	Serafini	Seltzer,
Cochran	Lewis	Sirianni	Speaker
DeVerter	Mackowski		

**NOT VOTING—16**

Beloff	Donatucci	Goebel	Lashingner
Cianciulli	Durham	Hayes, D. S.	Reed
Cornell	Geesey	Kanuck	Rieger
Dininni	Gladeck	Kowalshyn	Salvatore

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

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

**REMARKS ON VOTE**

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

Mr. GOEBEL. Mr. Speaker, had I been in my seat, I would like to have voted "yes" on HB 1632.

The SPEAKER. The Chair thanks the gentleman. His remarks will be spread upon the record.

**CALENDAR BILL ON THIRD CONSIDERATION POSTPONED**

Agreeable to order,

The bill having been called up from the postponed calendar by Mr. PYLES, the House resumed third consideration of **HB 80, PN 1910**, entitled:

An Act providing for the regulation for energy conservation purposes of the construction of buildings, the establishment of a Building Energy Conservation Committee and a Board of Variances, appeals and for penalties.

On the question recurring,

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

On the question recurring,

Will the House agree to the PYLES amendments?

**AMENDMENTS WITHDRAWN**

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

Mr. PYLES. Mr. Speaker, I would like to withdraw the amendments.

The SPEAKER. Without objection, amendments No. 2891 are withdrawn. The Chair hears none.

The Chair recognizes the lady from Susquehanna, Miss Sirianni.

Miss SIRIANNI. Mr. Speaker, I have an amendment for this bill.

Mr. Speaker, I did not know you were going to run it today. I thought you said you were not.

The SPEAKER. Has the lady's amendment been circulated to the House?

Miss SIRIANNI. Yes.

The SPEAKER. The Chair has no indication that the lady was going to offer an amendment and we have no indication that an amendment has been circulated. Will the lady yield for a moment?

The Chair has been informed by the amendment clerk that no amendment has been circulated on behalf of the lady from Susquehanna.

The Chair recognizes Miss Sirianni. The Chair recognizes the lady.

Miss SIRIANNI. I was under the impression that this bill was not going to be brought up today. Can we hold it over?

I have an amendment. I brought the amendment up in caucus, Mr. Speaker.

The SPEAKER. The Chair will abide by the decision of the leadership.

Miss SIRIANNI. I brought it up in caucus, sir.

Mr. RYAN. I cannot fight with the lady, Mr. Speaker. She did, in fact, bring that amendment up in caucus, and I did not remember it.

**HB 80 PASSED OVER**

The SPEAKER. Without objection, HB 80 will be passed over. The Chair hears none.

**RESOLUTION ADOPTED**

Mr. J. L. WRIGHT called up **HR 107, PN 1879**, entitled:

General Assembly urge proposed legislation toward exemptions from penalties pursuant to the Clean Air Act.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—186**

Alden	Freind	Mackowski	Salvatore
Anderson	Fryer	Madigan	Scheaffer
Armstrong	Gallagher	Manderino	Schmitt
Arty	Gallen	Manmiller	Schweder
Austin	Gamble	McCall	Scirica
Barber	Gannon	McClatchy	Serafini
Belardi	Gatski	McIntyre	Seventy
Bennett	Geist	McKelvey	Shadding
Berson	George, C.	McMonagle	Shupnik
Bittle	George, M.	McVerry	Sieminski
Borski	Giammarco	Michlovic	Sirianni
Bowser	Goebel	Micozzie	Smith, E.
Brandt	Goodman	Milanovich	Smith, L.
Brown	Grabowski	Miller	Spencer
Brunner	Gray	Moehlmann	Spitz
Burd	Greenfield	Mowery	Steighner
Burns	Grieco	Mrkonic	Stewart
Caltagirone	Gruppo	Mullen, M. P.	Stuban
Cappabianca	Halverson	Murphy	Sweet
Cessar	Harper	Musto	Swift
Chess	Hasay	Nahill	Taddonio
Cimini	Hayes, S. E.	Novak	Taylor, E.
Clark, B.	Helfrick	Noye	Taylor, F.

Clark, R.	Hoeffel	O'Brien, B.	Telek
Cochran	Honaman	O'Brien, D.	Thomas
Cohen	Hutchinson, A.	O'Donnell	Trelo
Cole	Hutchinson, W.	Oliver	Vroon
Coslett	Irviss	Perzel	Wachob
Cowell	Itkin	Peterson	Wagner
Cunningham	Johnson, E.	Petrarca	Wargo
Davies	Johnson, J.	Piccola	Wass
Dawida	Jones	Pievsky	Weidner
DeMedio	Kernick	Pistella	Wenger
DeVerter	Klingaman	Pitts	White
DeWeese	Knepper	Polite	Wilson
DiCarlo	Knight	Pott	Wilt
Dietz	Kolter	Pratt	Wright, D.
Dombrowski	Kukovich	Pucciarelli	Wright, J. L.
Dorr	Laughlin	Punt	Yahner
Duffy	Lehr	Pyles	Yohn
Dumas	Letterman	Rappaport	Zeller
Earley	Levi	Rhodes	Zitterman
Fee	Levin	Richardson	Zord
Fischer, R. R.	Lewis	Ritter	Zwikl
Fisher, D. M.	Livengood	Rocks	
Foster, A.	Lynch, E. R.	Rodgers	Seltzer,
Foster, W.	Lynch, F.	Ryan	Speaker

**NAYS—1**

Street

**NOT VOTING—16**

Beloff	Donatucci	Hayes, D. S.	Reed
Cianciulli	Durham	Kanuck	Rieger
Cornell	Geesey	Kowalshyn	Stairs
Dininni	Gladeck	Lashingier	Williams

The question was determined in the affirmative, and the resolution was adopted.

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

**RESOLUTION ADOPTED**

Mr. SALVATORE called up **HR 122, PN 2067**, entitled:

House subcommittee on Cities, Counties-First Class of committee on Urban Affairs investigate assessment practices, procedures in Philadelphia regarding real property tax.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

**YEAS—184**

Alden	Freind	Manderino	Scheaffer
Anderson	Fryer	Manmiller	Schmitt
Armstrong	Gallagher	McCall	Schweder
Arty	Gallen	McClatchy	Scirica
Austin	Gamble	McIntyre	Serafini
Barber	Gannon	McKelvey	Seventy
Belardi	Gatski	McMonagle	Shadding
Bennett	Geist	McVerry	Shupnik
Berson	George, C.	Michlovic	Sieminski
Bittle	George, M.	Micozzie	Sirianni
Borski	Giammarco	Milanovich	Smith, E.
Bowser	Goebel	Miller	Smith, L.
Brandt	Goodman	Moehlmann	Spencer
Brown	Grabowski	Mowery	Spitz
Brunner	Gray	Mrkonic	Stairs
Burd	Greenfield	Mullen, M. P.	Steighner
Burns	Grieco	Murphy	Stewart
Caltagirone	Gruppo	Musto	Stuban
Cappabianca	Halverson	Nahill	Sweet



Cessar	Harper	Novak	Swift
Chess	Hasay	Noye	Taddonio
Cimini	Hayes, S. E.	O'Brien, B.	Taylor, E.
Clark, B.	Helfrick	O'Brien, D.	Taylor, F.
Clark, R.	Hoefel	O'Donnell	Telek
Cochran	Honaman	Oliver	Thomas
Cohen	Hutchinson, W.	Perzel	Trello
Cole	Irvis	Peterson	Vroon
Coslett	Itkin	Petrarca	Wachob
Cowell	Johnson, E.	Piccola	Wagner
Cunningham	Jones	Pievsky	Wargo
Davies	Kernick	Pistella	Wass
Dawida	Klingaman	Pitts	Weidner
DeMedio	Knepper	Polite	White
DeVerter	Knight	Pott	Wilson
DeWeese	Kolter	Pratt	Wilt
DiCarlo	Kukovich	Pucciarelli	Wright, D.
Dietz	Laughlin	Punt	Wright, J. L.
Dombrowski	Lehr	Pyles	Yahner
Dorr	Letterman	Rappaport	Yohn
Duffy	Levi	Rhodes	Zeller
Dumas	Levin	Richardson	Zitterman
Earley	Lewis	Ritter	Zord
Fee	Livengood	Rocks	Zwikl
Fischer, R. R.	Lynch, E. R.	Rodgers	
Fisher, D. M.	Lynch, F.	Ryan	Seltzer,
Foster, A.	Mackowski	Salvatore	Speaker
Foster, W.	Madigan		

NAYS—1

Hutchinson, A.

NOT VOTING—18

Beloff	Durham	Kanuck	Rieger
Cianciulli	Geesey	Kowalshyn	Street
Cornell	Gladeck	Lashingner	Wenger
Dininni	Hayes, D. S.	Reed	Williams
Donatucci	Johnson, J.		

The question was determined in the affirmative, and the resolution was adopted.

HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I would like to advise the members as to tomorrow's schedule.

We will adjourn tonight until 11 o'clock tomorrow morning. At 11 o'clock, we will take up, among other things, HB 80. I understand that the impossible has happened, that Mr. Itkin and Miss Sirianni have worked something out together.

At noon we will take up HR 143 and/or HR 145 as the case may be. It is my understanding the HR 143, dealing with expulsion, will be considered with a suspension amendment offered to it.

We believe that is the parliamentary process that we can anticipate for tomorrow. I would ask that the members be in their seats at 11 o'clock so that at 12 o'clock when these resolutions are called up, there will be no disturbance and that this House will conduct itself as it always does in serious matters, in a most refined, dignified fashion.

I have no further announcements, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Thank you, Mr. Speaker. When we meet tomorrow at 12 o'clock—we will be in at 11, but when we meet at 12 o'clock—to hear Mr. Cianciulli and his lawyer, it is the

Democrats' wish, Mr. Speaker, to hear all the testimony and then to request an immediate caucus to make a decision as to how the vote should go or may go. And I am hereby requesting that caucus from the Chair for tomorrow. I promise it will be as brief as we can make it.

I understand the stringencies of time. I am urging all Democrats, especially those of you who did not attend the caucus today, to make sure you are here tomorrow. And when you come in tomorrow, be prepared to come into caucus to discuss with us the most serious case which we probably will hear during this session.

Thank you, Mr. Speaker.

RESOLUTION TO BE INTRODUCED

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

Mr. ZELLER. Mr. Speaker, I would like to mention I am introducing a resolution. For those members who would like to join me, the resolution is requesting that we notify the administration in Washington that Mr. Paul Volcker of the Federal Reserve Bank take a reverse stand and request that the interest rates be lowered rather than raised. If he does not take this stand, we are asking for his resignation.

The reason why I say that is because Illinois, in both the House and the Senate last week, unanimously passed the same resolution.

There are some other 17 states that are moving in that direction. I take it from Senators and Congressmen across the country — Representatives John Conyers and Proxmire and Moorhead and many others across this nation — who are making the statement that they know what is going to cause.

They say they are against the policy because it puts the crunch on small business and puts the crunch on everyone and is going to take us deeper into a recession. If that is what we want, a recession and then a depression, then continue the interest rates higher and higher, for the simple reason, no one can buy. When no one can buy, nothing can move. And when nothing can move, no one is going to have anything and we are in a real serious depression. If that is what this country wants, they are definitely going to bring us to our knees with higher interest rates.

That is why I say that anyone who wants to join me, we are asking Mr. Paul Volcker to lower the interest rates in the benefit of our citizens in this country; if not, resign.

I ask those who want, to join me, please.

CALENDAR BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of SB 525, PN 545, entitled:

An Act amending the act of October 27, 1955 (P. L. 744, No. 222), entitled, as amended, "Pennsylvania Human Relations Act," designating certain acts as not being unlawful discriminatory practices.

On the question,

Will the House agree to the bill on third consideration?

## SB 525 TABLED

The SPEAKER. The Chair recognizes the majority leader.  
Mr. RYAN. I move that SB 525 be laid on the table.

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

SB 525 REMOVED FROM TABLE  
FOR CALENDAR

The SPEAKER. The Chair recognizes the majority leader.  
Mr. RYAN. I move that SB 525 be taken from table and placed on tomorrow's calendar.

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

The House proceeded to third consideration of **HB 818, PN 1075**, entitled:

An Act amending the "Pennsylvania Farmland and Forest Land Assessment Act of 1974," approved December 19, 1974 (P. L. 973, No. 319), providing for recording of the preferential use assessment agreements and continuing the preferential use assessment for the original tract in case of separation or split-off.

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

## HB 818 RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.  
Mr. RYAN. I move that HB 818 be recommitted to the Committee on Agriculture and Rural Affairs.

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

The House proceeded to third consideration of **HB 847, PN 924**, entitled:

An act amending the "Pennsylvania Farmland and Forest Land Assessment Act of 1974," approved December 19, 1974 (P. L. 973, No. 319), providing definitions of "roll-back tax" and "split-off."

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

## HB 847 RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader.  
Mr. RYAN. Mr. Speaker, I move that HB 847 be recommitted to the Committee on Agriculture and Rural Affairs.

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

## BILLS AND RESOLUTION PASSED OVER

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

## MOTION TO REMOVE HB 2 FROM TABLE

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Piccola.

Mr. PICCOLA. Mr. Speaker, I would like to make a motion to remove HB 2 from the table.

## MOTION WITHDRAWN

Mr. PICCOLA. I withdraw the motion, Mr. Speaker.  
The SPEAKER. The Chair thanks the gentleman.

## SENATE MESSAGES

AMENDED HOUSE BILLS RETURNED FOR  
CONCURRENCE

The Senate returned the following House bills with amendments in which concurrence of the House is requested:

**HB 118, PN 2394; and HB 552, PN 2432.**

The SPEAKER. The bills will appear on the calendar.

## SENATE MESSAGE

## ADJOURNMENT RESOLUTION FOR CONCURRENCE

The Senate presented the following resolution for concurrence:

In the Senate,  
November 13, 1979.

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Tuesday, November 27, 1979 unless sooner recalled by the President Pro Tempore and when the House of Representatives adjourns this week it reconvene on Tuesday, November 27, 1979 unless sooner recalled by the Speaker of the House of Representatives.

Ordered, That the clerk present the same to the House of Representatives for its concurrence.

On the question,  
Will the House concur in the resolution of the Senate?  
Resolution was concurred in.  
Ordered, That the clerk inform the Senate accordingly.

## BILL SIGNED BY SPEAKER

The following bill, having been prepared for presentation to the Governor, was signed by the Speaker:

**SB 736, PN 787**, entitled:

An Act amending the act of July 8, 1957 (P. L. 579, No. 321), entitled, as amended, "An act establishing minimum compensation and increments for members of the faculty and administration of the Thaddeus Stevens State School of Technology, providing leave of absence with pay for faculty members and the superintendent of the school and imposing duties on the Board of Trustees of such school and the Secretary of Education," adding to the schools covered by the act.

## WELCOMES

The SPEAKER. The Chair welcomes to the hall of the House Mrs. Peter Galantino and two Swedish exchange students, Lot-

ta Granbaum and Christina Souderstrom, who are here today as the guests of Messrs. Pitts and Armstrong.

The Chair welcomes to the balcony Dr. John Gauger and Mr. William Schmehl, professors of Social Science at Lehigh County Community College, and their class of students, who are here to view the activities of the legislature and are here as the guests of the Lehigh County delegation.

The Chair welcomes to the hall of the House the distinguished member of the Pennsylvania Congressional delegation, Representative Peter Kostmayer, who is here as the guest of the members from Bucks County.

**ADJOURNMENT**

Mr. STEIGHNER moved that this House of Representatives do now adjourn until Wednesday, November 14, 1979, at 11 a.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 6:24 p.m., e.s.t., the House adjourned.