

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY MARCH 4, 1980

Session of 1980

164th of the General Assembly

No. 18

HOUSE OF REPRESENTATIVES

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

THE SPEAKER (H. JACK SELTZER) IN THE CHAIR

PRAYER

THE HONORABLE MARY ANN ARTY, member of the House of Representatives and guest chaplain, offered the following prayer which was prepared by the Reverend William Elbert, pastor of the St. Matthew Evangelical Lutheran Church, Springfield, Delaware County, Pennsylvania:

O God most high, who alone rules in the affairs of mankind: Grant, we implore You, to all the members of this legislature the inspiration of Your Holy Spirit, that we may labor faithfully for the well-being of our Commonwealth and justice for all its people.

Through Jesus Christ, our Lord. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Monday, March 3, 1980, will be postponed until printed.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2336 By Representatives WILLIAMS, SHADDING, STREET, EARLEY, ITKIN, BARBER, PUCCIARELLI, HOFFFEL, RAPPAPORT, PIEVSKY AND OLIVER.

An Act making an appropriation to the Department of Education for the advertisement and promotion of the Federal decennial census.

Referred to Committee on APPROPRIATIONS, March 3, 1980.

No. 2337 By Representatives KUKOVICH, M. R. CLARK, CALTAGIRONE, HOFFFEL, WACHOB, COHEN, WHITE, PISTELLA, HARPER, CHESS, M. H. GEORGE AND BROWN.

An Act providing for reimbursement by insurance companies and others for services performed by licensed certified nurse midwives.

Referred to Committee on HEALTH AND WELFARE, March 3, 1980.

No. 2338 By Representatives ITKIN, PISTELLA, ALDEN, SALVATORE, BORSKI AND McINTYRE.

An Act amending the "Pennsylvania No-fault Motor Vehicle Insurance Act," approved July 19, 1974 (P. L. 489, No. 176), providing for temporary suspension of coverage for motorcycles.

Referred to Committee on TRANSPORTATION, March 3, 1980.

No. 2339 By Representatives WASS, PETERSON, W. W. FOSTER, WENGER, L. E. SMITH, CUNNINGHAM AND THOMAS.

An Act prohibiting the cutting, removal, transportation or sale within this Commonwealth for any purpose of Christmas trees, *** without a bill of sale or other proof of ownership from the owner of the land on which the same are grown.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, March 3, 1980.

No. 2340 By Representatives EARLEY, PUNT, STREET, BARBER, ALDEN, SPITZ, DURHAM, RYAN, FREIND, MICOZZIE, ARTY, OLIVER, DeVERTER, WHITE, WILLIAMS, HARPER, SHADDING, IRVIS, SERAFINI, DAVIES, KLINGAMAN, BRANDT, RICHARDSON, FEE, BURD, TADDONIO, JONES, COCHRAN, GALLEN, GEIST, GANNON, COSLETT, NOYE, PYLES, S. E. HAYES, JR., PETERSON, RHODES, McCLATCHY, WASS, MANMILLER, MADIGAN, KANUCK, GRUPPO, SWIFT, DORR, CALTAGIRONE, McVERRY, SIEMINSKI, PUCCIARELLI, GEESEY, LEVIN, A. C. FOSTER, JR., HONAMAN, BELARDI, KOWALYSHYN, M. R. CLARK, SALVATORE, McKELVEY, ROCKS, PERZEL, D. M. O'BRIEN, SELTZER, MOEHLMANN, POLITE, CESSAR, FISHER, LEVI, C. GEORGE, SPENCER,

L. E. SMITH, BOWSER, CIMINI, GRIECO, VROON, THOMAS, HELFRICK AND MILLER.

An Act authorizing the Department of Community Affairs to plan and administer a Statewide community conservation and employment opportunities incentive grant program.

Referred to Committee on APPROPRIATIONS, March 3, 1980.

No. 2341 By Representatives COHEN, KUKOVICH, DAWIDA, MURPHY, MILLER, OLIVER, HARPER, ZITTEMAN, COLE, PETRARCA, DeWEESE AND RICHARDSON.

An Act amending the "Osteopathic Medical Practice Act," approved October 5, 1978 (P. L. 1109, No. 261), providing for courses on nutrition.

Referred to Committee on HEALTH AND WELFARE, March 3, 1980.

No. 2342 By Representatives COHEN, KUKOVICH, DAWIDA, MURPHY, MILLER, OLIVER, HARPER, ZITTEMAN, COLE, PETRARCA, RICHARDSON AND DeWEESE.

An Act amending the "Medical Practice Act of 1974," approved July 20, 1974 (P. L. 551, No. 190), providing for courses on nutrition.

Referred to Committee on HEALTH AND WELFARE, March 3, 1980.

No. 2343 By Representatives COHEN, STREET, BROWN, HARPER, PERZEL, J. J. JOHNSON, WILLIAMS AND RICHARDSON.

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for a late payment fee on penalties.

Referred to Committee on TRANSPORTATION, March 3, 1980.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The clerk of the Senate presented the following bills for concurrence:

SB 768, PN 1591

Referred to Committee on Judiciary, March 3, 1980.

SB 1053, PN 1592

Referred to Committee on State Government, March 3, 1980.

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. DININNI and FREIND for today's session.

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

Mr. PIEVSKY. Mr. Speaker, I request leave of absence for Mr. ZWIKL for today's session.

The SPEAKER. Without objection, leaves are granted.

MASTER ROLL CALL RECORDED

The SPEAKER. The members will please report to the floor immediately. The Chair would like to take the master roll as early as possible, and only those members in their seats may record their presence.

The following roll call was recorded:

YEAS—188

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

NAYS—0

NOT VOTING—8

Alden	Freind	Hayes, D. S.	Weidner
Dininni	Giammarco	Madigan	Zwikl

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

BILLS REPORTED FROM COMMITTEES, CONSIDERED FIRST TIME, AND TABLED

HB 2256, PN 2896 (Unanimous)

By Rep. R. R. FISCHER

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for liability for tuition of out-of-state students and making editorial changes.

EDUCATION.

SB 308, PN 312 (Unanimous)

By Rep. R. R. FISCHER

An Act providing for the continuation, operation and administration of the school for indigent orphans known as the Thaddeus Stevens State School of Technology in Lancaster, Pennsylvania in which school instruction shall be given in all basic educational subjects and additional training given in elementary manual skills, elements of farming and other programs of similar nature.

EDUCATION.

SB 985, PN 1601 (Amended) (Unanimous)

By Rep. R. R. FISCHER

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), entitled "Public School Code of 1949," further providing for the disposition of certain unused and unnecessary lands.

EDUCATION.

SB 986, PN 1602 (Amended) (Unanimous)

By Rep. R. R. FISCHER

An Act amending the act of June 22, 1964 (1 Sp. Sess., P. L. 84, No. 6), entitled "Eminent Domain Code," further providing for abandonment of certain projects.

EDUCATION.

SPECIAL ORDER OF BUSINESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I move that HB 2044 be taken up as a special order of business.

CALENDAR

CONSIDERATION OF HB 2044 RESUMED

The House resumed third consideration of **HB 2044, PN 2583**, entitled:

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), limiting general assistance to chronically needy persons and transitionally needy persons.

On the question,

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

Mr. GLADECK offered the following amendment:

Amend Sec. 1 (Sec. 432), page 2, line 10, by striking out "not" and inserting shall

On the question,

Will the House agree to the amendment?

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

Mr. GLADECK. Basically what this amendment does is limit the definition of chronically needy persons to what is currently included in the bill. It amends line 10, strikes the word "not" and adds the word "shall".

If we are serious about reforming the welfare system in Pennsylvania and limiting welfare to only those who are truly needy, then it is imperative that we limit the standards set for chronically needy to what is currently included in the bill. If we leave it as an open-ended proposition, then it would provide that the Department of Public Welfare could simply add any kind of definition that they want to the term "chronically needy." I feel that they have been very specific up to this point for the definition of chronically needy, and I feel that it should be limited to what is currently included in the bill. Thank you.

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

Mr. COHEN. Mr. Speaker, will Mr. Gladeck consent to interrogation?

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

Mr. COHEN. Mr. Speaker, could you tell us again what the purpose of this amendment is?

Mr. GLADECK. The purpose of the amendment is to limit the definition of the term "chronically needy" to what is currently included in the bill.

Mr. COHEN. Why do we have to do that, Mr. Speaker?

Mr. GLADECK. Because if you take the time to read the bill, Mr. Speaker, you will notice that it is an open-ended proposition on line 10.

Mr. COHEN. And so the Secretary of Welfare could define chronically needy?

Mr. GLADECK. I did not consult her.

Mr. COHEN. So you were saying that if we do not pass your amendment, the Secretary of Welfare could define chronically needy in any way the Secretary of Welfare desired?

Mr. GLADECK. It says specifically, and I will quote: "...and shall include, but not be limited to, the following:...." and it lists (A) through (F) in the bill. I feel that, historically, we in the legislature will enact legislation, and I believe that many times the cry arises that we do not care for the way that the department implements our regulations and our legislation, and by leaving this definition in the bill the way it is currently constructed, what it does, Mr. Speaker, is it allows for an open-ended proposition on the part of the department to add anything that they want to the definition of chronically needy.

Mr. COHEN. In doing this, Mr. Speaker, we are going beyond the general assistance people, are we not?

Mr. GLADECK. No, no; we are not.

Mr. COHEN. We are not?

Mr. GLADECK. If you read the section of the bill, Mr. Speaker, you will notice that there is a specific (A) through (F) definition of the term "chronically needy." I just simply propose to limit the definition of the term "chronically needy" to what is currently included in the bill. I am not adding anything; I am not subtracting anything.

Mr. COHEN. I have no further questions, Mr. Speaker. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Punt.

Mr. PUNT. Mr. Speaker, I have no objections to this amendment. I support it. I believe this amendment removes the discretionary factor or the authority that the department would have in establishing the various categories of chronically needy. This amendment assures that the General Assembly's intent is carried out as it relates to the general assistance program. The amendment would require the General Assembly to establish by law new categories, rather than allow the administration broad flexibility in determining eligibility requirements. For those reasons I do support the Gladeck amendment.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, the amendment offered by the gentleman, in brief, strictly limits the department, but even worse, it says in effect that the General Assembly is the only entity which can define chronically needy. Now, if we were as wise as we think we are and as infallible as we hope to be, then that would be a safe way to define anything. But it is unwise, not only in this piece of legislation but in almost all legislation, to close the door on somebody else's brain power. It may well be, if this becomes law, that an honest Secretary of Welfare will find that we have failed to look at a particular situation which she or he finds to be chronically needy. If that happens and we have so strictly defined the words "chronically needy" that that secretary has no leniency, no flexibility, we may be denying somebody assistance whom we personally would like to see have it.

Very frankly, this is a strange amendment coming from the Republican Party, which controls the Secretary of Welfare and which controls the Welfare Department. It would seem to me—and I am not saying this facetiously—it would seem to me that you ought to be able to trust your own secretary to use the proper discretion within the flexibility of the definition of chronically needy without having to clamp down on her to the point where she has no motion whatsoever. Even if the Democrats were controlling the Welfare Department, it seems to me that you ought to be willing to trust the intelligence and the decisionmaking capacity of a competent Secretary of Welfare to look at an individual case and see if it falls within what he or she believes to be chronically needy.

I do not think, Mr. Speaker—and again it is difficult for a Democratic leader to stand here and say he is trying to speak apolitically, but I am indeed trying to on this amendment, and I do not think—it is wise for us to assume that we have in these definitions covered all the possibilities of chronically needy people, but if we buy the gentleman's amendment, that would be precisely what we are assuming. I think it is unwise, and I intend to vote "no" on the amendment, and I urge the rest of you to vote in the negative on this amendment.

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

Mr. KUKOVICH. Mr. Speaker, this amendment seems to fall in line with the current philosophy that state government should not do anything for people but just do things to people.

I had a woman who came into my district office a couple weeks ago. She was about 42. Her children were no longer minors or dependents. She had lost her husband. Under the bill the way it is, if this "shall" provision, this mandatory provision, was in, I assume this woman would not be eligible for benefits.

She showed me a stack of letters she had sent out. She had literally gone through newspapers and written to every help-wanted ad in the paper. She was working 8 hours a day trying to find employment, and she was receiving no employment.

We live in a state that has no program for displaced homemakers. We have a displaced homemakers bill that has been tied up in committee with no movement. We are not doing anything for women who have lost their spouses through divorce, through death, who are in an age group where they are really left helpless. Now, if the bill would pass the way it is, there would be some discretion, if the Welfare Department would see fit, to perhaps help them. But if this amendment goes through, they would be totally barred. I think that is unfair. I think we need a little flexibility, and I think we should vote against this amendment.

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

Mr. ZELLER. Mr. Speaker, I apologize for holding the House up, but would Mr. Gladeck explain exactly what this does?

Mr. GLADECK. Sure, for the second time, Mr. Speaker, it simply limits the definition of the term "chronically needy" to what is currently included in the bill. In other words, if you look at the bill, I do not propose to—and I am shocked that Mr. Irvis, given his tenure of experience here in this House, would feel that a member of the bureaucracy would be more in tune to taxpayers' needs than the legislature. I feel that the legislature should provide for any additional categories to the term "chronically needy" and not the bureaucracy, and simply what my amendment does is close the only loophole in the bill to say that the term "chronically needy" should be limited to what is currently articulated in the bill. It neither adds nor subtracts from the current definition of the term "chronically needy."

Mr. ZELLER. Mr. Speaker, would you stand for brief interrogation?

Mr. GLADECK. Sure, Mr. Speaker.

Mr. ZELLER. Mr. Speaker, the part that bothers me is—and we are not discussing his amendments, but I see a stack of, I do not know how many of, Mr. Street's amendments, but all deal with certain illnesses. Have you viewed them?

Mr. GLADECK. Yes; I have seen them.

Mr. ZELLER. All right. I am getting to a point. Now, under common law as received from England and always a part of the legal procedure in all the courts of this country, there is a requirement that a plaintiff or a defendant state his full case all at once; in other words, you cannot take it in parcel. This legal requirement has always been considered as fair and just and, in addition, as a means of preventing dilatory tactics, delaying tactics. Now, if that is a true statement—and I think it is—then what you are doing, in effect, are you nailing that down?

Mr. GLADECK. I am nailing down the definition of the term "chronically needy" to provide that we are not going to pass this bill with a certain intent to save a certain X amount of dollars and then have the Department of Public Welfare go over our heads and promulgate additional requirements or additional regulations pertaining to the term "chronically needy."

Mr. ZELLER. Well, I would agree, because if someone is going to court with a case, every one is different. That is why I could not see—with all respect to Mr. Street's amendments—how he could spell them out individually. When you go to court, you have to have your case in toto for that particular individual. So I would think that in effect—and I was listening to what Mr. Irvis had to say about giving the secretary flexibility. I do not think it should be the job of the secretary and the bureaucrats to be so flexible as to cite the cases they want when each case has got to be cited by the individual being represented, by their representative, who would be a legal counsel stating what that particular case is, because I believe the department could juggle them all over the place and leave the door wide open. So if you are nailing it down, I think that is good.

Those who want the flexibility are saying that we have like, what you call, in all respect, we use the term—if a fellow says, what kind of union card do you have, he says, well, I have a roofer's card; it covers everything. In other words, I am not trying to be wise; what I am saying is that they want to cover everything like a big umbrella and then everybody is taken care of. I just do not think that is right, and I think that is where many of your abuses in the welfare area have been, in allowing the bureaucrats to say what the case would be.

I will take his remarks, with all respect to the gentleman: Do not clamp down on her, meaning the secretary, and trust your competent Secretary of Welfare so they can check which is chronically needy. I do not think it wise to assume to check all the possibilities, in other words, to check them out, to stop them, and he urged a negative vote. Those are nice words, but it does not work that way

over there. That is why I am very interested in amendments you have, and that is why I was very concerned about the Street amendments, because the Street amendments, I think, would fly right into the face of exactly what the minority leader is saying. That is why I support your amendment.

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

Mr. STREET. Would the gentleman stand for brief interrogation?

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

Mr. STREET. You are striking out, Mr. Speaker, the word "not" and putting in "shall". Is that correct?

Mr. GLADECK. That is correct.

Mr. STREET. And exactly how does that change the whole definition of "chronically needy"?

Mr. GLADECK. It does not change it one bit.

Mr. STREET. Well, what does that do?

Mr. GLADECK. It limits the definition to what is currently included in the bill. In other words, if you read where the term "shall" is to be substituted, it simply says that the definition of the term "chronically needy" will include section (A) through section (F), and that would be it. Then any additional additions to the definition of the term "chronically needy" would have to be enacted by this House of Representatives and not by a member of the bureaucracy.

Mr. STREET. Okay. What we are trying to establish here is that the Secretary of Health and Welfare will not be able by her own volition to decide that a man who has a broken leg and cannot walk is chronically needy and so he is given GA assistance. Is that right?

Mr. GLADECK. I believe, Mr. Speaker, if you have a man with a broken leg, he will be currently included under the definition of the term "chronically needy."

Mr. STREET. That was a hypothetical, but I am saying that if in fact he was not included, he would be able to collect GA, right?

Mr. GLADECK. But he would be included.

Mr. STREET. How?

Mr. GLADECK. Because he is obviously medically unable to hold a job. In section (C), I believe, it says, "A person who has a serious physical or mental handicap which prevents him or her from working in an employment situation." That is section (C) under the term "chronically needy," so he would be included.

Mr. STREET. That is the problem I am having. Who makes that decision? In other words, if I have a broken leg and I cannot get to Harrisburg, who makes that decision? Does it depend on the type of job you do? Who makes the decision to determine whether you fall under that chronically needy or not?

Mr. GLADECK. Mr. Speaker, I agree with you 100 percent. I am really overjoyed that you brought up that point, because if you wait for about 10 minutes, I think that I have another amendment that might cure that problem.

I think that we should leave that up to a licensed physician to make that determination in conjunction with the department. That way, if you have an individual who has an affliction, they would have to go to a doctor or an osteopath, a practitioner of the healing arts, and in consultation between that individual and a member of the department, they would then determine whether or not the applicant was eligible.

Mr. STREET. Okay. Well, you just said a physician in conjunction with the department. This amendment shall strike out any input that the department can have in making that determination.

Mr. GLADECK. No, because the determination you are speaking of is already articulated in the bill. You see, section (C) is very nebulous if you look at it, as you have obviously done.

Mr. STREET. I understand that. I have looked at it. I have looked at it well.

Mr. GLADECK. Okay; I understand. So what you are saying is that what you feel is a serious physical or mental handicap, perhaps Mr. X might not feel the same way about or Mr. A might feel differently. That is why I feel it is imperative, if we are discussing physical or mental handicaps and who is going to determine what affliction should be included under the term "chronically needy," if it is a mental or physical handicap, then it should be defined by a physician in conjunction with the department. Now that is another amendment, but that whole section is included under the term "chronically needy," and this amendment will not have anything to do with it.

Mr. STREET. I agree with you 1,000 percent. My follow-up question is, what happens to the recipient while this process is going on? Is the recipient waiting somewhere on the sidelines, while the physician and the department are making this determination, starving? Or will the determination be made in a short period of time? You know, we get tied up in the bureaucracy of decisions that are made by the department and physicians that affect our everyday lives, that affect our survival. All I am saying to you is that, sure, that is great; that is the way we usually do things in Harrisburg. But what happens to that man or that woman who cannot eat while that determination is being made?

Mr. GLADECK. Mr. Speaker, I do not believe that it is going to take 30 days to determine whether a person has a serious physical or mental handicap, and I believe that the area defined as transitionally needy in the bill would cover the individual in question whom you are referring to, because that individual, when he applies for general assistance, if he qualifies economically, would be eligible for a one-time check for 1 month. Then if that person does have a serious physical or mental impairment or disability, then within 30 days I would hope that our Department of Public Welfare could determine whether or not that person would fall into the chronically needy category.

Mr. STREET. That is what bothers me—you would hope. And I understand that your intentions are probably good. I would hope that they could do it in 10 days or 12

days, but I think that anytime we are going to give a physician or the department any directives, it should be to the point. In other words, if the determination is not made in 30 days, then that recipient automatically qualifies for his benefits or her benefits.

I do not understand. I am not trying to argue with you; I am trying to get clear in my own head because I want to support you. I mean, I am a rational, reasonable person, but I have to do that based on my understanding of what you are trying to do. This is my question: Can we pin that down to say that if a determination is not made within that 30-day period, then the individual would continue on his GA benefits until the determination is made so that that individual is not inconvenienced by the procrastination of the department or the physician? Can we do that?

Mr. GLADECK. Mr. Speaker, I would think that the department within 30 days—you have a month's time. I would think that that would be plenty of time for an income maintenance worker in the Department of Public Welfare to pick up the phone and call a doctor, and the applicant, if he or she is really serious about receiving benefits, could bring in some sort of permission slip or some sort of eligibility slip outlining what their physical impairment or mental handicap might be so that the department can facilitate their deliberation as to what the eligibility would be. But I think that what we are talking about is section (C), and I think the amendment that I am speaking of at this point in time does not affect that. I think that if we would limit section (C) by putting in the language "as determined by the department after consultation with a practitioner of the healing arts"—that is the language which is included in the Medical Practices Act, which includes simply M.D.'s or osteopaths—then I think that we would get to the bottom of it, and could probably address the concerns that you have over the individual who might have a rare illness or a mental affliction. But you know as as I know that your definition of mentally unable and my definition and the applicant's definition could be three different things. You know that there are people who are going to come in and say that they cannot work, just as you know that—

Mr. STREET. Go ahead; keep coming.

Mr. GLADECK. I am finished. Go right ahead.

Mr. STREET. That is my very point. We know that physicians and people will contradict each other, and I do not have any disagreement with you on that point.

Mr. GLADECK. Okay.

Mr. STREET. All I am saying to you is that if we could frame the amendment to protect the people—in other words, that recipient is entitled to 30 days, and during that 30 days this evaluation would be made. All I am saying is can we add to your amendment—and I could agree, I would vote for it—that if that determination is not made within the 30-day period, then the GA recipient continues on his benefit until the determination is made as to whether he is classified chronically needy or transitionally needy, and if it takes 6 months to do that, then, of course, it will

not affect the benefits of the recipient. Now, I am very, very concerned about that, because I do not want that to be used as a cost-saving measure. I do not want to see recipients off the GA benefits who eventually are classified as chronically needy but it has taken the department and the physician like 8 months to come to that conclusion.

Any of us, Mr. Speaker, who is involved in that type of process understands that, you know, it is just inconceivable that we can expect any doctor to make that determination and write up the papers, because our Harvard prima donnas whom they hire over there will set up a bureaucracy that will have 3 months of paperwork for the physician to fill out after he examines the patient. I mean, you know, it will not be done in 30 days, and if we could just add that one clause that the recipient will continue to receive his benefits until such determination is made, then you have my vote. I would give you two if I could. Do you understand what I am saying? Do you have a problem with that? We have to protect the little people; that is all I am saying.

Mr. GLADECK. I understand what you are saying, but I cannot conceive that it is going to take 30 days to determine if you are physically or mentally capable or incapable of working. I mean, if you are serious about receiving benefits as an applicant, you should be able to take it upon yourself or upon receiving directions as to the procedures involved from the Department of Public Welfare, to be able to go to your physician or the department's physician and receive in writing or have the physician call on the phone and explain to the income maintenance worker what the affliction is, because it says consultation; it does not require a permission slip like you would if you were in school. I think 30 days is plenty of time, and I think the pressure should be on the department to meet that criteria, to meet the 30-day or the 1-month restriction for transitionally needy.

Mr. STREET. And the way we put that pressure on is making it a part of law that they have to meet it, and I agree with you. You are making it very difficult for me, Mr. Speaker, to exhibit my generosity here by giving the other side of the aisle a vote.

Mr. GLADECK. Mr. Speaker, it would not be the first time you gave us a vote.

Mr. STREET. But I need some clarity on that. If you honestly believe, Mr. Speaker—

Mr. GLADECK. Mr. Speaker, I would be willing to discuss your proposal, but I do not think that it is germane to the amendment that I am currently offering. The area that you are speaking of is section (C) of the bill. It is not where this amendment is. There is another amendment offered onto which your proposal might have an opportunity to be attached. In other words, there is another amendment. The section you are talking about is Section C, and I do not think that that is really germane to the amendment that is currently being considered. If you would like to sit down and discuss it, I would be more than happy to.

Mr. STREET. Thank you, Mr. Speaker.

The SPEAKER. Has the gentleman completed his interrogation?

Mr. STREET. I have completed my interrogation.

The SPEAKER. Does the gentleman wish to debate the bill? The gentleman is in order, and Mr. Street may proceed.

Mr. STREET. Mr. Speaker, I would urge, in the interests of the people who may have a serious physical impairment, that we vote against this amendment in the interests of our constituents. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Blair, Mr. Geist.

Mr. GEIST. Mr. Speaker, as one member who advocates the concept of legislative oversight, which the Gladeck amendment writes into this piece of legislation, I rise in support of it.

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

Mr. EARLEY. Mr. Speaker, I would like to interrogate the sponsor of this amendment, Mr. Gladeck.

The SPEAKER. The gentleman, Mr. Gladeck, indicates that he will stand for interrogation. Mr. Earley may proceed.

Mr. EARLEY. Mr. Speaker, I would just like to clarify the way in which this will read if this amendment is approved. You are striking out the word "not" on page 2, line 10, and inserting the word "shall". Is that correct?

Mr. GLADECK. That is correct.

Mr. EARLEY. Then as I read that, the language beginning on line 9 and going over into line 10, in defining chronically needy, will say: "...social or related circumstances and shall include, but shall be limited to...." Is that the way you want it to read?

Mr. GLADECK. That is correct.

Mr. EARLEY. All right. I have no further questions.

Mr. GLADECK. Thank you.

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

(Members proceeded to vote.)

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

Mr. RITTER. I was on the master roll, but my switch is not working. I would like to be recorded in the negative.

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

Mr. RITTER. Mr. Speaker, you have not announced the roll yet. I think I ought to be able to get on there.

VOTE STRICKEN

The SPEAKER. The clerk will strike the roll.

The gentleman, Mr. Ritter's name is added to the master roll; the gentleman, Mr. Stewart; the gentleman, Mr. George from Clearfield. Are there any other additions to the master roll? The gentleman from Chester, Mr. Vroon; the gentleman from Somerset, Mr. Halverson.

Mr. RITTER. Mr. Speaker, I was on the master roll. I pushed my switch, and I left the chamber then after I did that, and somebody must have taken it off. But I was on the master roll.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Beaver, Mr. Kolter.

Mr. KOLTER. Mr. Speaker, on behalf of Mr. McCall, he was here for the master roll and he has been locked out also.

The SPEAKER. Only those members in their seats may be recorded. Are there any additions to the master roll?

Mr. KOLTER. Well, perhaps the people attending this meeting ought to be advised that they are not being voted.

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

Mr. CESSAR. Mr. Fisher had to go to a meeting off the floor.

The SPEAKER. Only those members in their seats may be recorded.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. Is the gentleman, Mr. Pucciarelli's switch not working? How does the gentleman wish to be recorded? The gentleman will be recorded in the negative.

VOTE STRICKEN

The SPEAKER. The clerk will strike the vote.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. For what purpose does the gentleman from Westmoreland, Mr. Hutchinson, rise?

Mr. A. K. HUTCHINSON. I do not know whether it is personal privilege or not. Last night the majority leader said that we start at 9:30. We also should have canceled all committee meetings so people could have been here on the floor.

The SPEAKER. Are there any members who have come to the floor whose names are not entered on the master roll? The gentleman from Luzerne, Mr. Hasay; the gentleman from Mercer, Mr. Wilt. Section 2: The gentleman, Mr. Perzel; the gentleman, Mr. Goebel. The gentleman, Mr. Pucciarelli; the gentleman, Mr. Richardson; the gentleman, Mr. O'Brien; the gentleman, Mr. Petrarca; the gentleman, Mr. Gatski; the gentleman, Mr. Musto; the gentleman, Mr. George; the gentleman, Mr. Stuban; the gentleman, Mr. DeWeese; the gentleman, Mr. Coslett; the gentleman, Mr. Gallagher.

Mr. GALLAGHER. Mr. Speaker, I am here and I am voted. Mr. Speaker, Mr. Irvis is at a meeting and he is recorded. Mr. Rodgers is ... the meeting with Mr. Irvis and he cannot be recorded. Now, we have to make proper arrangements.

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the minority whip rise?

Mr. MANDERINO. Mr. Speaker, point of parliamentary inquiry.

The SPEAKER. The gentleman will state his point of parliamentary inquiry.

Mr. MANDERINO. I have before me today's master roll, and on my side of the aisle there were five absences at the master roll. This is the first roll call since the master roll. How has it become possible for people to become locked out?

The SPEAKER. Under the rules of the House, only those members in their seats may be recorded.

Mr. MANDERINO. I understand the rules of the House. My question is, how has it become possible for people to be locked out after the master roll when this is the first piece of business this morning after the master roll?

The SPEAKER. The members were not in their seats to be recorded.

Are there any further additions to the master roll?

Mr. MANDERINO. Mr. Speaker, you cannot get out of it that easily.

The SPEAKER. The Chair has no intention of getting out—

Mr. MANDERINO. Do you have somebody locking people out after the master roll?

The SPEAKER. Only those members in their seats may be recorded.

Mr. MANDERINO. But you are replacing people on the master roll who were on the master roll.

The SPEAKER. The vote is on the amendment offered by the gentleman, Mr. Gladeck.

Mr. MANDERINO. I understand what the vote is.

The SPEAKER. Only those members in their seats may be recorded.

Mr. MANDERINO. Mr. Speaker, I ask that we have a standing rollcall vote so that we know who is here and who is not here.

The SPEAKER. Are there any additional members who wish to have their names added?

Mr. MANDERINO. Added to what?

The SPEAKER. The gentleman, Mr. Cimini; the gentleman, Mr. Novak.

Mr. NOVAK. I was here on the master roll. I was called to my office on urgent business. Again put me on the master roll if you wish.

The SPEAKER. The gentleman, Mr. Yahner; the gentleman, Mr. Cimini.

Mr. CIMINI. Mr. Speaker, I was on the master roll. I was on the floor of the House, but I was at a Professional Licensure Committee meeting and just got back.

The SPEAKER. The gentleman, Mr. Klingaman; the gentleman, Mr. Gannon.

Mr. GANNON. Mr. Speaker, I would like to be placed on the master roll.

On the question recurring,

Will the House agree to the amendment?

(Members proceeded to vote.)

The SPEAKER. The Chair recognizes the minority whip.
 Mr. MANDERINO. Mr. Speaker, I would like a little time to verify the absentees. I would like to avail myself of the 10-minute rule while we verify absentees.

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

Mr. RODGERS. I just want to ask that my switch be released so that I may vote.

VOTE STRICKEN

The SPEAKER. The clerk will strike the roll.

The gentleman, Mr. McIntyre, is in the hall of the House; the gentleman, Mr. Moehlmann; the gentleman, Mr. Pyles; the gentleman, Mr. Kanuck; the gentleman, Mr. Helfrick.

Mr. Pucciarelli's name is on the master roll; Mr. Hutchinson is on; Mr. McCall; Mr. Mowery.

Are there any additional names to be added? The gentleman, Mr. Cunningham.

Mr. CUNNINGHAM. Mr. Speaker, I would like my name added to the master roll.

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

(Members proceeded to vote.)

VOTES CHALLENGED

Mr. MANDERINO. Mr. Speaker, I would like a few minutes to verify the roll.

Mr. SHUPNICK. Mr. Speaker, may I be on the master?

The SPEAKER. How does the gentleman, Mr. Shupnik, wish to be recorded?

Mr. SHUPNIK. In the negative, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman. His name will be added to the roll.

Mr. MANDERINO. These gentlemen may be in the hall of the House. I do not think they are in their seats, but I see Mr. Rocks and Mr. Belardi voted and I do not think they are in their seats.

The SPEAKER. Is Mr. Belardi in the hall of the House? Is Mr. Rocks in the hall of the House?

Mr. MANDERINO. Mr. Speaker, Mr. Belardi's vote is still cast.

Mr. RYAN. Mr. Speaker, Mr. Belardi was here. Somebody went to get him, Mr. Speaker. He will be right here.

Mr. MANDERINO. Why do they not get Mr. O'Brien while they are getting Mr. Belardi? He is not in his seat either.

The SPEAKER. Is Mr. Rocks in the hall of the House? If Mr. Rocks is not in the hall of the House, will somebody next to him turn off his switch?

Mr. SALVATORE. He is not on. Mr. O'Brien is here.

Mr. MANDERINO. Is he in the hall of the House? Is he in his seat?

The SPEAKER. Is Mr. O'Brien in the hall of the House? Will someone close to Mr. O'Brien take his name off the roll?

Is Mr. Belardi in the hall of the House? Someone close to him please remove his name from the roll.

Mr. RYAN. Here is Mr. Belardi, Mr. Speaker.

The SPEAKER. Have all the members present voted? Does the minority whip have any additional challenges?

Mr. RYAN. Mr. Speaker, Mr. Bittle and Mr. Dorr are on the floor of the House. Their switches are locked.

The SPEAKER. How does the gentleman, Mr. Bittle, wish to be recorded? In the affirmative. How does the gentleman, Mr. Dorr, wish to be recorded? In the affirmative. The gentleman, Mr. Letterman, wishes to be recorded in the negative. The gentleman, Mr. Goodman, wishes to be recorded in the negative.

Have all the members present voted? Is the gentleman, Mr. Manderino, satisfied as to the accuracy of the vote? The gentleman is very kind.

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

The following roll call was recorded:

YEAS—87

Anderson	Gannon	McKelvey	Sirianni
Arty	Geesey	McVerry	Smith, E. H.
Belardi	Geist	Mackowski	Smith, L. E.
Bittle	Gladeck	Manmiller	Spencer
Bowser	Goebel	Micozzie	Spitz
Burd	Grieco	Moehlmann	Stairs
Burns	Gruppo	Mowery	Swift
Cessar	Halverson	Nahill	Taddonio
Cimini	Hasay	Noye	Taylor, E. Z.
Clark, M. R.	Hayes, Jr., S.	Perzel	Telek
Cornell	Helfrick	Peterson	Thomas
Coslett	Honaman	Piccola	Vroon
Cunningham	Hutchinson, W.	Polite	Wass
DeVerter	Johnson, E. G.	Pott	Wenger
Davies	Kanuck	Punt	Wilt
Dietz	Klingaman	Pyles	Wright, Jr., J.
Dorr	Kowalshyn	Ryan	Yohn
Durham	Lashingier	Salvatore	Zeller
Fischer	Lehr	Scheaffer	Zord
Foster, W. W.	Levi	Schweder	
Foster, Jr., A.	Lynch, E. R.	Serafini	Seltzer, Speaker
Gallen	McClatchy	Sieminski	
Gamble			

NAYS—73

Austin	Fee	McCall	Richardson
Barber	Fryer	McIntyre	Ritter
Beloff	Gallagher	McMonagle	Rodgers
Bennett	Gatski	Manderino	Seventy
Borski	George, C.	Michlovic	Shupnik
Caltagirone	George, M. H.	Milanovich	Steighner
Cappabianca	Goodman	Mrkonic	Stewart
Chess	Grabowski	Mullen	Street
Clark, B. D.	Hoeffel	Murphy	Stuban
Cochran	Hutchinson, A.	Musto	Sweet
Cohen	Irvis	Novak	Taylor, F.
Cole	Itkin	O'Brien, B. F.	Trello
Cowell	Knight	Oliver	Wachob
DeMedio	Kolter	Petrarca	Wargo
DeWeese	Kukovich	Pievsky	White
Dawida	Laughlin	Pistella	Wright, D. R.
Dombrowski	Letterman	Pucciarelli	Yahner
Duffy	Livengood	Rappaport	Zitterman
Earley			

NOT VOTING—36

Alden	Freind	Levin	Rhodes
Armstrong	Giammarco	Lewis	Rieger
Berson	Gray	Madigan	Rocks
Brandt	Greenfield	Miller	Schmitt
Brown	Harper	O'Brien, D. M.	Shadding
DiCarlo	Hayes, D. S.	O'Donnell	Weidner
Dininni	Johnson, J. J.	Pitts	Williams
Dumas	Jones	Pratt	Wilson
Fisher	Knepper	Reed	Zwikl

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

The SPEAKER. The Chair recognizes the gentleman from Montgomery, Mr. Gladeck, for his second set of amendments.

Mr. GLADECK. Mr. Speaker, I would appreciate it if we could consider my amendment at a later time, because we are going to redraft it and add some language, that has been agreed to by myself and Mr. Street. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin. Does Mr. Laughlin have an additional amendment to offer?

Mr. LAUGHLIN. Mr. Speaker, I had asked yesterday for a reconsideration. I do not believe you are calling that up at this time, so I have no other additional amendment.

On the question recurring,

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

Mr. MURPHY offered the following amendments:

Amend Sec. 1 (Sec. 432), page 2, line 25, by striking out "forty-five" and inserting twenty-five

Amend Sec. 1 (Sec. 432), page 2, line 27, by inserting after "employment." As used in this clause, "vocationally unable to obtain employment" means a person who has no vocational training or experience that corresponds to any existing vocational employment classification of the Bureau of Employment Security or a person who has vocational training or experience for which there are no employment opportunities available as certified by the Bureau of Employment Security.

On the question,

Will the House agree to the amendments?

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

Mr. MURPHY. Mr. Speaker, this is amendment A5346. What it does is, on the bill on page 2, section (F), where it states "A person over age forty-five who has been certified by the Bureau of Employment Security as being vocationally unable to obtain employment," it defines "vocationally unable to obtain employment" and lowers the age to 25. Let me explain why I have done this.

Obviously the age 45 was an arbitrary number. It was chosen, I guess, because there is recognition that people over 45 years old who might apply for welfare do in fact have difficulty obtaining employment. I was curious as to what the term "vocationally unable to obtain employment" meant, and upon inquiries to the Department of Public Welfare and the Bureau of Employment Security, I found out that they had not defined that term. To my knowledge,

they still have not defined it. I think it is important that we understand what "vocationally unable to obtain employment" means. I also think that the arbitrary age of 45 is too high, and I believe that should be lowered to 25.

We are talking about people who either have not the skills to obtain a job or have the skills but there is no employment available. We have set up a system in this state called the Bureau of Employment Security to assist people like that in obtaining employment. I urge us to use that system. If we do not think the Bureau of Employment Security can do the job, then we should abolish the Bureau of Employment Security. Let us, for everybody's sake, use the system we have established and are spending a considerable amount of money on to maintain, to help people find jobs, and let us put the burden on them.

"Vocationally unable to obtain employment" is an important phrase in this bill. It defines those people who can and cannot get jobs. It is a reasonable approach. I have in the past generally supported the Governor's efforts at welfare reform. My feeling is that this bill, without some definition, is so vague as to be dangerous. I urge your support of this amendment. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Punt.

Mr. PUNT. Mr. Speaker, the gentleman, Mr. Murphy's amendment, as I read it, does two things. First, the amendment reduces from 45 years of age to the 25-years-of-age level when an individual may be certified as vocationally unable to work and be classified as chronically needy. Additionally, the amendment defines persons who are vocationally unable to obtain employment as those who have no training or experience as classified by BES - Bureau of Employment Security - or an individual who has such training or experience. I would oppose Mr. Murphy's amendment, because the amendment places the Commonwealth in a position of having to supply job opportunities to all individual recipients, which is contrary to the intent of HB 2044. That intent is to make individuals independent and self-sustaining. The goal is to have the individual independently secure employment. For those reasons I would oppose Mr. Murphy's amendment.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Will the gentleman, Mr. Punt, yield to interrogation?

The SPEAKER. The Chair was unable to hear the gentleman.

Mr. MANDERINO. Will the gentleman, Mr. Punt, yield to interrogation?

The SPEAKER. The gentleman indicates that he will. Mr. Manderino may proceed.

Mr. MANDERINO. Mr. Speaker, I have heard you on other amendments and on this amendment, too, speak of the intent of this bill and that the amendment cuts across the intent of the bill. I am paraphrasing, of course. I thought that it was the intent of the bill to take persons off general assistance because there were enough jobs, as the Governor said, in the Commonwealth, that if the people on

general assistance would just go out there and apply for these jobs, they could work and support themselves and have food and shelter. Is that not the intent of the bill?

Mr. PUNT. The intent of this bill, Mr. Speaker, is to restructure general assistance in Pennsylvania, taking off the able-bodied who would be placed in the transitionally needy category. That is the intent of this bill.

Mr. MANDERINO. But the transitionally needy category is supplying 1 month of benefits in a 12-month period. The justification for that has been—has it not?—that there are plenty of jobs in the want ads of the papers that these people can go out and seek and get. Is that not the justification?

Mr. PUNT. You said about the job ads. I have maintained there are jobs. There is work available in Pennsylvania.

Mr. MANDERINO. Yes; that is the justification. Otherwise we would not, I do not think, and I would hope you would not be advocating, Mr. Speaker, that if there was not one job available, and if these are Commonwealth citizens, you certainly would not say, go out and starve because we are not going to help you. That is not what you would say. What you are saying, I take it, is, there are jobs out there; we do not want you to starve; we do not want you to live in the street in tents or sleep in the hallways; there are jobs; go out and get them. Is that not what we are saying?

Mr. PUNT. That is exactly correct.

Mr. MANDERINO. That is exactly correct. Now, Mr. Murphy is simply asking that if a person is unable, unable, vocationally unable, and it is determined that he is vocationally unable to get any of those jobs that are out there, he is simply saying that we are not going to tell that person, go out and starve or sleep in the hallways or do not feed yourself or do not have shelter.

Are you aware, Mr. Speaker, that the Bureau of Employment Security has a dictionary of occupational titles as established and published by the U.S. Department of Labor?

Mr. PUNT. I am aware of such.

Mr. MANDERINO. And are you aware that Mr. Murphy's amendment is simply referring to that kind of list of occupations and saying, if this person is not qualified for any jobs that are available in that list of jobs, then we ought to consider him as a person entitled to benefits in this Commonwealth? Are you aware that that is the tenor of his amendment, the import of his amendment?

Mr. PUNT. Yes; I am aware of that part, but I think Mr. Murphy's amendment goes far beyond that.

Mr. MANDERINO. Mr. Murphy's amendment defines the words "vocationally unable to obtain employment," meaning a person who has no vocational training or experience that corresponds to any of the vocational employment classifications of the Bureau of Employment Security. Now, I would take it that the classifications of the Bureau of Employment Security are the dictionary of occupational titles that they get from the U.S. Department of Labor.

They do not have the power to make new titles at the Bureau of Employment Security, so that has got to be what he is referring to. You would agree to that, you say?

Mr. PUNT. Yes.

Mr. MANDERINO. Well, I have no further questions.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. I think that the Murphy amendment has very much merit. What we are saying in the Murphy amendment is that we are a compassionate society. We are a society that knows that there are people from time to time, as we have recognized in the category of the chronically needy, where they have medical problems and emotional problems, where they have age problems and restrictions, and we do not want these people to be without food and shelter. We do not want these people to be in such want as to not be able to subsist and live. We have recognized these categories and say we are going to give these people, even though they are now in the general assistance category, the benefits that our program has given in the past.

Mr. Murphy simply is trying to take one of those categories that we have already recognized. You recognize it in the bill. You say there is a category of people who are vocationally unable to fit into any of those jobs out there. Those people we ought to help. You have recognized that in the bill. Mr. Murphy is simply saying that he has contacted the Department of Welfare and he asked them, what is vocationally unable to fill one of those jobs? What does that mean? They said, we have not developed a definition yet. He pointed out yesterday that he thought it was ludicrous for us to be passing a piece of legislation with a definition in the piece of legislation that the Department of Welfare does not even know what it means now. How can we know what it means when we vote on this piece of legislation? We really do not know whom we are covering. He is trying to clear up that ludicrous situation by saying that a person is vocationally unable, in the words of the bill, to fit any of the employment categories, as he has added, any of the employment categories that BES already has from the Department of Labor and Industry of the Federal Government.

I think it is a wise amendment. I think we ought to pass this amendment, and I think that we will continue, at least in part, to show that we are a society that cares about people less fortunate than ourselves who, through no fault of their own, are unable to get those many jobs that the Governor seems to think are out there. If they are out there—and without deciding that point—there are certain people who would not qualify for the jobs that are out there. If they do not qualify, Mr. Speaker, I think that we ought to extend the hand of the Commonwealth in our program. All Mr. Murphy is doing is saying, let us define what it means to be vocationally unable to fit any of those jobs, and he is doing that, and I think he is doing it in a rational manner. I think he is doing it in a manner which has much merit, and I support the amendment, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Punt.

Mr. PUNT. Mr. Speaker, I think this amendment is creating another loophole that is permitting the ablebodied to remain on general assistance, which is contrary to the intent of HB 2044. I am opposed to any amendment which would continue the existence of the ablebodied to remain on general assistance. I oppose this amendment.

The SPEAKER. Does the gentleman, Mr. Murphy, wish to be recognized?

Mr. MURPHY. Yes. Mr. Speaker, would Mr. Punt submit to interrogation?

The SPEAKER. The gentleman indicates that he will. Mr. Murphy may proceed.

Mr. MURPHY. Mr. Speaker, by your statement that you just made, I assume that you consider everybody over 45 no longer to be ablebodied.

Mr. PUNT. That is not true.

Mr. MURPHY. Well, what you just said and what is in the bill leads me to believe that.

Mr. PUNT. We have a stipulation of the various age brackets in HB 2044. The way that I read your amendment, by taking it down to the age of 25, we are increasing that number.

Mr. MURPHY. Where did you come up with the age 45? I mean, what is the basis of that age? Why 45? Why not 25 or 35 or 55?

Mr. PUNT. That was arbitrarily picked.

Mr. MURPHY. Why was it arbitrarily picked?

Mr. PUNT. Same thing as saying 30 years of age or 65 years of age. In researching this bill, in putting together the program, I found that a considerable number of people felt we should limit it to the age of 60 or 65. I felt that was not necessarily so and it should not be pursued as such, because there are individual circumstances when a person may be 47 years of age and find themselves to be out of work and vocationally unable to find work. I felt we have an obligation to those people. For example, a housewife who has been married for 28 years and her husband up and leaves her for another person. That woman has devoted her life to maintaining that household. She does not have an occupation. She does not have a specific skill. I feel that we have an obligation to that type of person as well. We arbitrarily picked that age out. I do not agree with the 25 years of age.

Mr. MURPHY. I guess the point I am trying to make, of course, what happens then to the housewife who was married at 20 years of age, was married for 15 years, and her husband leaves her and she is 35 years old? What happens to her?

Mr. PUNT. She is a displaced homemaker. If she would have a dependent, as you can see in the chronically needy category, a lone caretaker with a dependent, it could be an 80-year-old mother; it could be a child. In most probability, if she would have a child, she would be under the Federal program. If she would have an aunt or a relative or her mother or her grandmother living with her, providing for her, she would be placed in the chronically needy category.

Mr. MURPHY. It would seem to me, Mr. Speaker, that what we are talking about is you are willing to be compassionate to that person who happens to be over 45 years old and in difficult circumstances, but you are not willing to be compassionate to somebody who is 35 years old and in similar circumstances.

Mr. PUNT. Mr. Speaker, you say compassion. I think compassion does not mean creating dependence. Compassion means creating independence.

Mr. MURPHY. I agree with you entirely. I guess the point I am trying to make, we have in this state set up an entire system called the Bureau of Employment Security that we use to help people find employment. Why you are not willing to use that system to help people find employment is beyond me. Why are you not willing to use the system that we have established and are spending substantial amounts of money of the Commonwealth to keep going? Why are you not willing to use that system to help people find jobs?

Mr. PUNT. Mr. Speaker, I think that system is being utilized. In many areas it has been proven successful; in some areas it has not, for various reasons, maybe internal reasons. But if you look at the job openings through the Bureau of Employment Security from January to December of 1979, we had 304,701 statewide. We had actual placements within those jobs of 178,399. We are utilizing those areas.

Mr. MURPHY. Mr. Speaker, would I be correct in reading the Human Relations Commission information that age discrimination is against the law in Pennsylvania?

The SPEAKER. The Chair asks the gentleman, Mr. Murphy, to please confine his interrogation to the amendment that he has offered.

Mr. MURPHY. I am talking about the fact that Mr. Punt has arbitrarily, as he has admitted, chosen the age 45 to cut off people.

The SPEAKER. Will the gentleman please confine his interrogation of Mr. Punt to the amendment before us.

Mr. MURPHY. Mr. Speaker, you have just admitted that you arbitrarily chose the age 45 to cut people off welfare, the ablebodied.

Mr. PUNT. That is correct.

Mr. MURPHY. Do you not believe that that is against the law in Pennsylvania, that type of age discrimination?

Mr. PUNT. No, Mr. Speaker. The bottom line on your amendment is a loophole in the bill. Those who have made welfare a science would use the loophole to destroy the bill. The taxpayers want us to plug up the loopholes, and I feel that your amendment is continuing with the loophole phase.

Mr. MURPHY. What is the loophole, Mr. Speaker? Can you please define what the loophole is? What is the loophole that my amendment creates?

Mr. PUNT. It allows the ablebodied to still remain on public welfare.

Mr. MURPHY. Is it any more of a loophole than yours, that people over 45 are permitted to be on welfare? I mean, what are we calling loopholes?

Mr. PUNT. Yes; it is.

Mr. MURPHY. Yours is a loophole also. What is in the bill is a loophole also.

Mr. PUNT. Would you repeat that, please?

Mr. MURPHY. Section (F) of the bill is also a loophole then by your definition.

The SPEAKER. The question before the House is your amendment, Mr. Murphy. Will you please confine your interrogation to your amendment?

Mr. MURPHY. Mr. Speaker, I would like to make a statement.

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

Mr. MURPHY. I think what has been brought out in the interrogation is that the age 45 is an arbitrary decision. I think what we have before us is a very clear question of the role the Commonwealth plays in assisting people in finding employment. We have for years established a Bureau of Employment Security to help people and assist people finding jobs. I do not consider that to be a loophole, that that system exists, and its role is to find people jobs. I think it is an integral part of what has been established in this Commonwealth, and attempting to integrate that system into the general assistance problem that we face in this state I do not think is a loophole. I think that is the approach that we should use, attempting to use the Bureau of Employment Security with its resources and its connections for employment to assist people, be they 30 years old or be they 45 years old or 55 years old, in finding jobs. To suggest that somebody under 45 years old has less of a problem and less difficult circumstances than someone over 45 years old is ludicrous, and for that reason I urge you to support this amendment. Thank you.

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

Mr. COWELL. Mr. Speaker, I would like to comment quickly about one group of people who would be assisted by the Murphy amendment and ought to be assisted. Mr. Punt in the cross-examination indicated some bit of sensitivity to the needs of the displaced homemaker. As I heard him make his remarks, he suggested that they deserve assistance because of some unique problems that they often face, but then he proceeded to completely miscalculate the age of the typical displaced homemaker in Pennsylvania.

Some of you know that I have been very much interested in programs for displaced homemakers during the past several years, and through the Education Committee we even had public hearings in various parts of the state during the 1977-78 session. We found that large numbers, probably a large percentage of the displaced homemakers of Pennsylvania, are women who are younger than 45 years of age. Quite typically, they are women who married in their late teens or early twenties before they had any job experience whatsoever and quickly began to have a family and raised that family; and now as the children have become old enough that they leave the home, very frequently, unfortunately, the husband also leaves the home, or in some cases

the husband passes away. That woman is suddenly thrust into a position where she has spent 15 or 20 years raising a family and has done that well, has gained no vocational experience, has no vocational education or training, but is suddenly in a position where she is expected to go out and support herself. As a result of the legislation that is before us, she would have no relief, not even short-term relief.

Mr. Murphy's amendment would recognize the situation that most displaced homemakers in Pennsylvania find themselves in, in a position where they need training, they need experience, they need help getting a job, and in a situation where the current system of finding people jobs does not work well for them because they do not have the adequate training and they have usually no experience. Some type of assistance ought to be available to them. Public assistance, general assistance, ought to be available to them for the short run while they acquire that experience and that training so that they can go out and become employable. Most of those women are not yet 45 years of age, and most of them therefore, as this legislation is currently written, will be ineligible for any kind of assistance.

I would suggest that we adopt the Murphy amendment, particularly so that we do not cut off this group of people, but also so that we do not cut off other groups of people in similar circumstances who also are needy, who need help, who want jobs, but who have to spend some time being trained for those jobs before they can actually be given one. I urge that we adopt the Murphy amendment.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I think I know what is happening on the floor of the House, and it has happened many times before when we get into a situation where one group will blindly vote "yes" and the other group will blindly vote "no" on whatever comes up without ever hearing what is coming up, without ever reasoning through with it. It occurs to me that we are talking ourselves into that sort of situation today.

If you remember, the gentleman, Mr. Gladeck, offered an amendment which this House adopted prior to this, and the argument there was that we wanted to sharply define the term "chronically needy," and the House agreed with Mr. Gladeck. It said, we want to sharply define chronically needy; we do not want the Department of Welfare being able to have any leeway in that definition; we want to say in the legislation what we mean by chronically needy. The House voted for that. It put Mr. Gladeck's amendment in. Now, along comes Mr. Murphy and he says exactly the same thing that Mr. Gladeck said about a different section. Mr. Murphy says, I want the House to sharply define the term "vocationally unable to obtain employment." The gentleman, Mr. Punt, who argued for Mr. Gladeck's sharp definition, argues against Mr. Murphy's sharp definition. Those of you who voted for the sharp definition of Mr. Gladeck are now prepared to vote against the sharp definition of Mr. Murphy. What I am saying is, we are talking ourselves into a situation where it counts as to who offers the amendment rather than what is the amendment.

If you will just look at the Murphy amendment, it makes a great deal of sense. If you listen to the arguments of Mr. Murphy and Mr. Cowell, and Mr. Manderino's argument, they make a great deal of sense. True, those arguments are being offered by Democrats, but if that is the criterion, that every amendment to be offered by a Democrat is automatically "no" and every amendment offered by a Republican is automatically "yes," then the pattern of voting is understandable. But if in fact this House is making its decisions on these amendments depending upon what the amendment says, then you owe it to yourself to look at the Murphy amendment, because all it says is if a person 25 years of age or older who simply has no vocational training, no vocational skill, no vocational experience, comes before us and says, I am willing to work but I cannot find a job, and BES says, we are willing to put him to work but we do not even have a job classification for him, what do you propose to do for that individual? Are you going to accept Mr. Punt's philosophy and say, you are able-bodied and that is all we care about; you are able-bodied, so it is tough luck if you cannot find a job; good-bye? If that is your philosophy—and I do know some men who feel that way; I have some of them in my background who believe that; that was all right for my grandfather's day and I imagine he believed that, because there were plenty of unskilled laborers' jobs available and society was a lot simpler—and if you simply believe that the very fact that this individual is able-bodied means we should care nothing about his economic security, we should care nothing about seeing to it that he has food and shelter, that he can pay his way temporarily at least, then of course you ignore Mr. Murphy's amendment, because you are really not concerned with the person's needs. But if you do in fact concern yourself with that individual's needs—and this is an honest individual; this is not a shirker; this is not one of your welfare cheats. This is an individual who says, I am willing to work; I have looked for a job; I cannot find it; will you show me where there is one? And the Bureau of Employment Security says, we cannot find anything for you, nothing in your category. Are you willing to say to that person, wait until you are 45 years of age and then come back? If you are, then you have to vote against Mr. Murphy's amendment; but if you are not, then there is no reason why you should not vote for Mr. Murphy's amendment. He has arbitrarily picked the number 25; Mr. Punt arbitrarily picked the number 45. Mr. Punt says, I do not care to define the term; Mr. Murphy says, let us define it. Remember, you voted to sharply define a prior term.

I do not expect logic from this House of Representatives—I have been here too long to expect that—but I would like you to justify for me how you can vote to sharply define one term and then immediately, almost, vote against sharply defining another term in the bill. I would be interested in that explanation. Thank you, Mr. Speaker.

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

Mr. RICHARDSON. Mr. Speaker, I would like to interrogate Mr. Punt.

The SPEAKER. Will the gentleman, Mr. Punt, stand for interrogation? The gentleman is in order and may proceed.

Mr. RICHARDSON. I would just like to find out from the gentleman, Mr. Punt, in the Murphy amendment if he could express to us in section (F), page 2 of the bill, the Bureau of Employment Security, whether or not he has touched base with them and whether or not he can tell us how many vocational jobs there are in the Commonwealth of Pennsylvania presently?

Mr. PUNT. I cannot go into detail as to what specific types of jobs are available through BES at this time.

Mr. RICHARDSON. I cannot hear the gentleman.

Mr. PUNT. I said, I cannot go into detail as to the specific jobs which are available through BES at this time.

Mr. RICHARDSON. No. In your bill that you wrote, I am asking specifically whether or not you touched base with the Bureau of Employment Security and whether or not you can tell us how many vocational jobs there are for people in this Commonwealth who are going to be affected by this bill? We are talking about laying off 80,000 people, and one of these categories is the category dealing with those in the vocational area. I would just like to know, if you talked with them, how many jobs are available under the vocational training.

Mr. PUNT. I think that the listings through BES would be based upon those eligibilities or those credentials, and I look at last year and there were over 300,000 jobs listed through BES.

Mr. RICHARDSON. Three hundred thousand jobs are ready now for people here in the Commonwealth of Pennsylvania?

Mr. PUNT. No, Mr. Speaker. You are not listening.

Mr. RICHARDSON. I could not hear you.

Mr. PUNT. I said, in last year BES had over 300,000 job listings.

Mr. RICHARDSON. For vocational training in this Commonwealth?

Mr. PUNT. No. I said job listings through BES.

Mr. RICHARDSON. Well, you did not answer my question then; maybe you are answering someone else's. What I am specifically asking is whether or not, Mr. Speaker, you have touched base with the Bureau of Employment Security in relationship to vocational training, and how many specific jobs are there for vocational training in the Commonwealth of Pennsylvania?

Mr. PUNT. Mr. Speaker, I cannot answer that. I do not know.

Mr. RICHARDSON. You do not know. Mr. Speaker, did you not just indicate to the members of this House that people should independently go out and find these vocational jobs?

Mr. PUNT. Would you repeat that, please?

Mr. RICHARDSON. Yes. Did you not just indicate to the members of this House that people should go out and find these vocational jobs independently?

Mr. PUNT. Not vocational jobs, jobs.

Mr. RICHARDSON. No. I am saying there is a category for people specifically in this bill that relates to vocational training, and if a person does not have a vocational skill, then that individual is not going to be able to get a job. I am asking you, since you are the prime sponsor of this bill and are taking people away from the welfare rolls, what is the responsibility of that individual who does not have a vocational skill? You are saying that you do not know where they are going to get it, but independently they are supposed to go out and get it. I do not understand how they can do that. Could you express that or explain that to me, because I want to vote intelligently on this amendment.

The SPEAKER. The gentleman will please confine his interrogation to the amendment.

Mr. RICHARDSON. Could I get an answer to that question? I know you are laughing because you all do not care, but I think it is important and I would like an answer to my question.

Mr. PUNT. Would you ask your question, please?

Mr. RICHARDSON. Sure, I will ask the question again, sir. I would like to know from you, Mr. Speaker, whether or not there has been any touching of base with the Bureau of Employment Security to determine what type of vocational jobs there are for people in the Commonwealth of Pennsylvania.

The SPEAKER. The gentleman will please confine his interrogation to the amendment offered by Mr. Murphy.

Mr. RICHARDSON. Okay. I will read the amendment, since evidently I am not speaking to it. It says, "vocationally unable to obtain employment." I am saying that relates specifically to this amendment. What kind of vocational jobs or employment is there presently existing for people who fall in that category, Mr. Speaker?

Mr. PUNT. Mr. Speaker, I have tried to answer that, and it appears as though I just cannot answer it to your satisfaction.

Mr. RICHARDSON. No; not to my satisfaction, Mr. Speaker, but to the specifics that deal with whether or not they are there or they are not there.

Mr. PUNT. I cannot go into the specifics.

Mr. RICHARDSON. You cannot go into specifics. I mean, you are getting ready to just displace people and you cannot go into specifics? You are dealing with people's lives.

Mr. PUNT. The specifics will be dealt through phase 2, the job training bill.

Mr. RICHARDSON. No, no, no, no. That should have been dealt with in a phase-1 job bill, not phase 2. How can you take people off and then tell them to go get a job if you do not have any?

The SPEAKER. Does the gentleman have any further interrogation of Mr. Punt?

Mr. RICHARDSON. Yes; I do.

The SPEAKER. The gentleman will please confine his interrogation to the amendment.

Mr. RICHARDSON. As long as he does not give me any back rebuttal. I am asking specific questions.

The SPEAKER. It is the opinion of the Chair the gentleman is making speeches and not interrogating Mr. Punt on the amendment.

Mr. RICHARDSON. I think the gentleman from the county of Franklin is also doing the same thing, and so both of us should be spoken to.

The SPEAKER. The Chair will be very happy if the gentleman, Mr. Punt, will confine his responses to the amendment.

Mr. RICHARDSON. Good. One other question of Mr. Punt, one other question. If you claim, Mr. Speaker, that there are no vocational-training employment jobs because you do not have any specifics, where—

The SPEAKER. The gentleman will please confine his interrogation to the amendment. The gentleman is debating the bill.

Mr. RICHARDSON. No. The amendment speaks specifically to vocational—

The SPEAKER. The gentleman is debating the bill.

Mr. RICHARDSON. Okay. The jobs that exist presently then, Mr. Speaker, in relationship to the Bureau of Employment Security where you said there were 300,000 on the list of last year, what is the list this year for those same vocational jobs?

Mr. PUNT. Mr. Speaker, I have said three times now I cannot go into detail as to the specifics of those job classifications. I do not know what more you want.

Mr. RICHARDSON. What I want to know, Mr. Speaker, is, if BES has these jobs, I would like to know where they are.

Mr. PUNT. I would suggest you go to BES and research it then, because I told you three times now I do not have that.

Mr. RICHARDSON. Okay. Well, I do not have to go to BES and research it. You wrote the bill.

Mr. Speaker, I do not have any more questions for the gentleman. I would like to speak on the amendment.

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

Mr. RICHARDSON. It is quite obvious, Mr. Speaker, what the relationship—

The SPEAKER. Will the gentleman yield one moment?

FILMING PERMISSION GRANTED

The SPEAKER. The Chair has given permission to WCAU-TV to film on the floor of the House for 10 minutes starting now.

CONSIDERATION OF HB 2044 CONTINUED

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

Mr. RICHARDSON. Mr. Speaker, I would just like to speak specifically to this amendment. It seems that if we are sincere about our efforts towards trying to find jobs for

people, then it would seem to me that the amendment of Mr. Murphy's should be supported by every member in this House.

You cannot talk about x-ing a category of persons over 45, saying that these persons have been certified by the Bureau of Employment Security, when the gentleman who is the prime sponsor of the bill does not even have any information. How can we continually debate this issue on jobs and removing jobs when the prime sponsor does not even know what is in the bill? No knowledge. He says that he does not have those specifics. If he does not have those specifics, then how can he oppose the Murphy amendment? The Murphy amendment speaks directly to it.

The laughing and joking that is going on on this bill is in direct relationship to the insensitivity that is being displayed on the floor by those who do not feel that this is important enough to be looked at but just ramrodded down the throats of people, and I am going to keep saying that because that is exactly what is being done. There is no sincerity at all being given to the fact that people are getting ready to be displaced off these welfare rolls, and in that, Mr. Speaker, I would say that the Murphy amendment speaks directly to it. It specifically talks about an age category, that we need to recognize that there are a number of people in this Commonwealth and we have statistics that we will get into later that will show there is a category of people—we have done our research on that—who do not have any training whatsoever in this Commonwealth, who will fall in this bill, who fit in that age bracket, and I support the Murphy amendment and ask the members of the House to do the same.

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

Mr. VROON. Mr. Speaker, this amendment is a very faulty amendment, and I am very much opposed to it. The reason why I say it is a faulty amendment is that, number one, all of the jobs that are available are not necessarily registered with the Bureau of Employment Security. There are a lot of jobs out there that are not listed there at all. One of the purposes of this bill is to get people off their butt and get out there and look for jobs and find them, and do not necessarily just depend on the Bureau of Employment Security. This is incorrect.

The second thing that is bad about this amendment is that the categories that are listed by the Employment Security Bureau also include one very broad category; namely, unskilled labor. This unskilled labor category is present in the white-collar area as well as the blue-collar area, and I defy anybody to tell me that there is one ablebodied soul in this Commonwealth who does not at least fit into that category automatically. That is the whole point. There are more people on welfare who are not skilled people, and we do feel sorry for them, but we want these people to go out and find those jobs that are there. There are a multitude of jobs available in the unskilled category, and you do not have to go to the Bureau of Employment Security to find them. I think this is very important to remember.

Now, the last part of the amendment which is bad is the fact that if he does not have anything in his skill as registered by the Bureau of Employment Security, then he does not get eliminated from the welfare rolls. This, too, is a bad part of the amendment, because we want to remove ablebodied people who can work, period, and we should not try to provide only that employment which fits exactly into their category of vocational training. These people ought to be compelled to go out there and work rather than depend on the citizens of this Commonwealth.

I believe this goes far deeper than meets the eye. The age category of 25 again hits these young people who are unskilled. These are the young people who do have plenty of energy, and they have plenty of energy to work as well as to search for work, and to bring this down to age 25 is a very serious error, in my opinion. I can understand that a person 45 years of age does not have the opportunities that a young fellow or a young girl does have, but it makes a whole lot of sense to leave it just the way it is and remember that what we are trying to do is to get people to go out there and work. You do not have to depend solely and completely on the Bureau of Employment Security.

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

Mr. CUNNINGHAM. Mr. Speaker, I would like to differ with a couple of misstatements that I believe have been made during the course of this debate. First of all, opposition to this amendment is not based on blind partisanship. This is not a Republican/Democratic issue. Opposition to this amendment is not based on a lack of compassion. It is not based on insensitivity to people's needs. Both of those statements are incorrect. Opposition to this amendment is based on a sophisticated understanding that the whole precept on which this amendment is based is in some way the notion that it is the obligation of the Commonwealth to place everyone in the Commonwealth who does not have a job, and failing that, it is the obligation of the Commonwealth to support anyone whom it cannot place. I think that is a faulty premise, and I think the rejection of that premise is neither partisan nor insensitive in terms of compassion.

The last speaker, the gentleman, Mr. Vroon, put his finger on a very essential point, and that is that it is entirely fallacious to assume that every employment opportunity available in this Commonwealth is certified or registered with the Bureau of Employment Security. That is not true in any substantial sense as regards full-time employment opportunities, and it is not true at all as regards part-time employment opportunities.

I do not want to reiterate the remarks that were made yesterday, but one of the chief opponents of this bill from a welfare rights organization made the observation that neither she nor any of her people were going to accept certain kinds of employment, and that is the essential problem we have here. It is not the unavailability of employment; it is the lack of willingness of some people to accept that kind of employment. It is not always going to

be a full-time job. It is not always going to be a full-time job that pays what we would like it to pay. There may be some necessity to aggregate a variety of part-time jobs. There may be some necessity to aggregate a full-time job with one or more part-time jobs, and I do not accept the notion that anybody we strike from these rolls who is able-bodied is going to starve or is going to steal from us. First of all, I know from my own experience—and I think everybody here in their heart of hearts knows—that nobody in this Commonwealth who is able to work and genuinely desirous of finding employment is going to go hungry, and I for one will not be intimidated by the argument that if we do not continue to support able-bodied welfare recipients, they are going to steal from us. That argument does not impress me at all.

The gentleman, Mr. Murphy, has suggested that the age 45 is arbitrary and that an age-25 cutoff is more appropriate. I would suggest that while there will be some element of arbitrariness in the selection of virtually any threshold age, it is important to note that as a person reaches the age of 45, they are moving into middle age, and statistically it is far more difficult for them to find employment than it is for someone who is 25 years of age.

The gentleman, Mr. Gladeck, offered an amendment not very long ago that more clearly defined the terms under which this bill will be applicable. It was a narrowing, clarifying amendment. The gentleman, Mr. Murphy's amendment, in my judgment, clouds the issue and broadly expands the terms of this bill to create a situation in which the heart of the bill will literally be removed from it. The legislation will be eviscerated by creating a situation in which it will be almost impossible to get able-bodied welfare recipients off the welfare rolls, force them into the employment market, and make them hustle and make them find the jobs that I know and that you know are available. I urge the defeat of this amendment.

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

Mr. ZELLER. Mr. Speaker, I am surprised that all the speakers, from our minority leader all the way around the whole circuit here, have not touched on a very important issue. I was alerted by a question asked me by some of my colleagues in regard to my stand to be against the Murphy amendment. It aroused me to inquire further that we have an Act 1 that was passed and signed by the Governor in 1980, which says age 40 to 62 are not eligible for the 2-year vocational training program. Now, I would think that Mr. Murphy should take his amendment and change it from 25 to 40. The reason for this is quite simple. Those from 40 down then are eligible for a 2-year vocational training program if they want to do what Mr. Vroon said, get off their butt and get out there and try to learn something. Now this is going to make them—and notice I am not using the term "those people"—it would make them then get into a classification as being qualified for work. They are qualified for work. Then BES can say, there are not jobs available; they are qualified for work; and now they are eligible.

So it is a very simple thing if Mr. Murphy would just take his amendment and withdraw it and change it to 40, and I think we would solve the whole problem. I am surprised that no one has brought this point up at this time.

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

Mr. STREET. Mr. Speaker, I have been listening to the arguments from the majority side, and I guess people never cease to amaze me, because I have always been taught that when you have an argument, you document that argument and you have figures to support it.

What I have heard here today is that there are jobs out there. I heard Mr. Punt, in reference to the Murphy amendment, say that I do not know how many jobs the BES has. Well, I do know. I have the statistics; I have been there. If Mr. Punt would give me his attention for a minute, because this is his bill—and all of a sudden the rules change when we get on the inside. We are told, when we are on the outside there fighting as community activists, that you cannot document your information; document it; go get the documentation, and come back. Then when I get on the inside, I find people passing laws without documentation. That is one of the craziest things I have ever experienced in my life.

Now, I have heard arguments here about the Sunday paper. Now, we went through the Sunday paper. You did not do that. We went through, marked off every job available in the Sunday paper. I have it right out there. There is a job as a cookie salesman for entry level, 2 years' experience. Who has 2 years' experience selling cookies? That is in the Sunday paper. That is in the Sunday paper, Mr. Speaker. I have gone through it right here. This is the printout, a computer printout. This is something you should have, Mr. Speaker, not me. You are trying to sell the bill, not me—65,000 jobs on the state level.

The SPEAKER. Will the gentleman yield?

Mr. STREET. Why?

The SPEAKER. The gentleman will please confine his remarks to the amendment before us.

Mr. STREET. Well, Mr. Speaker, if you please, I listened to the other speakers make speeches that dealt with—

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. The Chair recognizes the lady from Chester, Mrs. Taylor. For what purpose does the lady rise?

Mrs. TAYLOR. A point of personal privilege.

The SPEAKER. The lady will state her point of personal privilege.

Mrs. TAYLOR. Mr. Speaker, could I please ask the Representative if he would not shout? I am trying to listen to what he has to say. It is going to be a long day, and I would really like to hear some of the things that he has to say, and I would be able to understand him much better if he just would not shout. Thank you very much, Mr. Speaker.

Mr. STREET. I will gladly acquiesce to that request, but I am fired up. Sometimes when you get fired up, you know, your spontaneity—

The SPEAKER. The gentleman will please confine his remarks to the amendment, and the gentleman may proceed.

Mr. STREET. Is that quiet enough for you?

All right, we have here—this is very important—65,000 jobs, computer printout, and all you have to do is read it, Mr. Speaker. Where is Mr. Punt? All you have to do is read this, and if you read this, you will find out that there is one entry-level job on here, one, one entry-level job.

Now, the gentleman over there just made a beautiful speech about all those jobs out there. Six hundred right here available, one entry-level—entry level means unskilled—one on the state level. But see, you do not have that information, and what we are dealing with here in an attempt to pass legislation is the figment of people's imagination and not documentation, and I do not understand that. I do not understand how you intelligent people—I mean, you are going to distort my opinion of you, not that it makes any difference—but how can you continue to push legislation without documentation?

Here we go; here it is. Have any of you bothered to do this? This is the Sunday paper. Look, this is where all the jobs are. Do you see how they are all crossed off? I went through them. People who work for us went through them. There they are, all of them. Here it is, right here; it is wrapped in green: "Cookie salesman—experience needed." Anybody in here apply? Can any of you get that job selling cookies?

My point is that we are documenting information on this side that on that side you are refusing to listen to, you are refusing to listen to. I am speaking to the amendment, Mr. Speaker; let not your heart be troubled. And what is happening is, in closing, that I would suggest that when these amendments come up, the other side over there, those of you who are pushing this—Mr. Zeller, who is on this side—get off your butts and do some research to support your information just like you are telling the people whom you want to take off to get off their butts and look for a job. I support the Murphy amendment, and I ask everybody to support it.

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

Mr. COWELL. Mr. Speaker, earlier in this debate there was a discussion about the needs of displaced homemakers in the Commonwealth of Pennsylvania, and it was argued—and I was one who argued—that they would be adversely affected by this legislation and could receive some relief under the Murphy amendment. Since I spoke at that time, I went back to the mailbox and received a copy of an executive order that Governor Thornburgh just signed within the last couple of days. The bottom line of the executive order is to create a task force on employment services to displaced homemakers, but some of the whereas clauses perhaps are relevant to this debate and to the argument that

we have made about the situation confronting displaced homemakers, and I would just like to pick three out of the Governor's executive order. First he says, "WHEREAS, the needs of displaced homemakers are a serious problem in the Commonwealth." Then it says, "WHEREAS, becoming financially self-sufficient after being financially dependent upon the income or benefits of another family member is a challenge many homemakers are unprepared to face." That means they are not prepared to go out and get a job. Further, in terms of statistics the executive order cites some figures. It says, "WHEREAS, it is estimated that there are 212,000 displaced homemakers in Pennsylvania over age 35; 390,000 over age 16. Without employment, most of them are, or become, candidates for poverty."

The point is that this legislation in its current form will adversely affect tens of thousands of displaced homemakers who will be in a position where there will be no assistance available for them, and yet at the same time, even as the Governor cites in his executive order, we recognize that they are unprepared to go out and get a job, incapable at that point in their life of going out and getting a job until we can provide them some additional assistance. Once again, I argue that we should adopt the Murphy amendment.

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

Mr. EARLEY. Mr. Speaker, I would like to interrogate Mr. Punt.

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

Mr. EARLEY. Mr. Speaker, the Murphy amendment addresses itself to line 25, subsection (F), referring to "A person over age forty-five who has been certified by the Bureau of Employment Security as being vocationally unable to obtain employment." Is that correct?

Mr. PUNT. Yes.

Mr. EARLEY. Now, that provision therefore contemplates persons over age 45 making some contact with BES with respect to employment, does it not?

Mr. PUNT. It implies that.

Mr. EARLEY. It further contemplates a determination being made by BES regarding their ability to obtain employment. Is that correct?

Mr. PUNT. Yes.

Mr. EARLEY. And it contemplates a determination by BES that they are vocationally unable to obtain employment. Is that not correct?

Mr. PUNT. That is correct.

Mr. EARLEY. Now, a person falling in that category is classified as chronically needy. Is that correct?

Mr. PUNT. Correct.

Mr. EARLEY. Would a person under age 45 under like circumstances be any less needy—one age 44, 43, 42—than this person age 45 meeting all this criteria?

Mr. PUNT. Could be.

Mr. EARLEY. It could be less needy or it could be more needy. Is that not correct?

Mr. PUNT. Correct.

Mr. EARLEY. And you admit that the selection of age 45 is an arbitrary age.

Mr. PUNT. Correct.

Mr. EARLEY. And your purpose in setting up this category is a recognition of the fact that there are certain people in our society who, no matter what their physical condition and their willingness, simply are vocationally unable to find employment. Is that not correct?

Mr. PUNT. That is possible, but the amendment goes beyond that.

Mr. EARLEY. I am talking about the provision of the act itself as the bill as you have presented it. Is that not the purpose behind that provision? Recognition—

Mr. PUNT. I am discussing the amendment, not the bill itself.

Mr. EARLEY. I am going to get to the amendment as soon as we clarify certain points.

Mr. PUNT. Okay.

Mr. EARLEY. That provision is in recognition of the fact that there are people who simply are vocationally unable to obtain employment. Is that not correct?

Mr. PUNT. Correct.

Mr. EARLEY. Now, a question to you is this: The fact that a person is under the age of 45, if he is vocationally unable to obtain employment and he is certified by BES as being vocationally unable to obtain employment, does that make him any less chronically needy because of his failure to attain the age of 45?

Mr. PUNT. Yes, because he may participate in the employables program.

Mr. EARLEY. Participating in the employables program does not provide him with employment or income other than the 1 month provided by this bill. Is that not correct?

Mr. PUNT. It aids you finding a job.

Mr. EARLEY. An aid to finding a job.

Now, you are asking the person to go to BES for purposes of such certification, are you not?

Mr. PUNT. I am sorry. Would you repeat that, Mr. Speaker?

Mr. EARLEY. You would be requiring this person age 45 to obtain a certification from BES as to his unemployment. Is that not correct?

Mr. PUNT. That is correct.

Mr. EARLEY. Now, what is wrong with asking one younger than that for the same purpose?

Mr. PUNT. The amendment goes beyond that.

Mr. EARLEY. The amendment is simply defining "vocationally unable to obtain employment," which is not defined in the act as proposed, and it is stating an earlier age. Now, since the age, you said, is an arbitrary age and you agree that one vocationally unable to attain employment, regardless of his age, is in the same straits, what does this amendment do beyond more clearly define what you are trying to attain in this subsection (F)?

Mr. PUNT. First of all, the amendment places the Commonwealth, as I said earlier, in a position of having to

supply job opportunities for all individual recipients, and that, one, is contrary to the bill. It is to make the individual independent and self-sustaining, and that is the intent of the bill. The way that I read the amendment, it goes beyond that which goes against the intent of the bill, which intent is to remove the ablebodied. This was a provision which could continue and keep the ablebodied remaining on.

Mr. EARLEY. Mr. Speaker, does not this proposed provision require the Commonwealth to make a determination regarding the vocational inability of the individual to obtain employment? Is that not required in this proposed bill?

Mr. PUNT. No. If there are no jobs available, it could be that they could remain on assistance.

Mr. EARLEY. As I read this, a person over age 45 who has been certified by the Bureau of Employment Security as being vocationally unable to obtain employment can be classified as chronically needy. Now, is that not requiring the Commonwealth to certify as to the employability of that person?

Mr. PUNT. Would you repeat that, Mr. Speaker?

Mr. EARLEY. As I read this provision, subsection (F), it is defining chronically needy, among those persons, "A person over age forty-five who has been certified by the Bureau of Employment Security as being vocationally unable to obtain employment." Does that not require the Commonwealth to make a determination with respect to each of those individuals?

Mr. PUNT. Yes.

Mr. EARLEY. In what way is that requirement changed by the Murphy amendment?

Mr. PUNT. But the amendment goes beyond that where it says, "...a person who has vocational training..."

Mr. EARLEY. The amendment does what? Goes beyond that?

Mr. PUNT. The amendment goes beyond that. It says that a person could have training, but if BES could not find them a job, they could remain on public assistance. That is contrary to the intent of HB 2044.

Mr. EARLEY. May I ask you then, in that section what is meant by the phrase "vocationally unable to obtain employment"?

Mr. PUNT. Are you referring to Mr. Murphy's amendment?

Mr. EARLEY. No. I am referring to the provision of the proposed act, subsection (F).

Mr. PUNT. In the bill itself it refers to those individuals who have—

The SPEAKER. Will the gentleman, Mr. Punt, please confine his responses to the amendment? The gentleman is going far afield.

Mr. PUNT. I am only answering the question, Mr. Speaker. I am being interrogated on the bill and not the amendment.

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

Mr. EARLEY. The two are necessarily interrelated. In the Murphy amendment you are offered a definition to the phrase "vocationally unable to obtain employment." In the bill there is no such definition. Inasmuch as Mr. Punt disagrees with the amendment, I am attempting to clarify what is meant by the phrase "vocationally unable to obtain employment."

The SPEAKER. The question before the House is the amendment offered by Mr. Murphy. All of the members will have ample opportunity to debate the bill at a later time.

The gentleman may proceed.

Mr. EARLEY. Mr. Speaker, inasmuch as the amendment makes a significant change in a provision of the bill and is attempting to clarify the bill, I believe that is a proper question to ask at this point, and it goes right to the heart of the amendment.

I am waiting for an answer.

Mr. PUNT. I am sorry, Mr. Speaker. Would you ask that again?

Mr. EARLEY. The amendment offers a definition of the phrase "vocationally unable to obtain employment." The bill does not. I am attempting to clarify, therefore, the legislative intent, the meaning of the phrase as used in the proposed bill as opposed to that set forth in the amendment.

Mr. PUNT. I have already explained regarding the bill until we were ruled by the Speaker to discuss the amendment. If you want a definition as it is referred to in the amendment, I suggest you interrogate the sponsor of the amendment, Mr. Murphy.

Mr. EARLEY. The definition is clear as set forth in the amendment.

The SPEAKER. The question before the House is the amendment.

Mr. EARLEY. I have no further questions.

Mr. Speaker?

The SPEAKER. Does the gentleman wish to debate the bill?

Mr. EARLEY. Yes; I do, Mr. Speaker.

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

Mr. EARLEY. Mr. Speaker, it is clear from the manner in which the debates have been going on these various amendments to HB 2044—and particularly one here, the Murphy amendment—there is no genuine effort on the part of the sponsor of the bill, the promoters of the bill, to clarify and fulfill the needs of the people here in the Commonwealth.

We have here an amendment that is attempting to clarify what is meant by the bill. The fact that a person has attained a 45th birthday does not make him any more or less needy than the fact that a person is only 25 or 30 years of age. The bill will require the Commonwealth to certify as to the availability of employment for such persons. All Mr. Murphy is saying is that however old the person may be, if they are certified as required by this bill, if they are certi-

fied as unemployable because they are vocationally unable to obtain employment, then they should be classified as chronically needy, and I urge this legislature to support this amendment.

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

Mr. A. C. FOSTER. As I listen to the debate today, I am constrained to remark that jobs may be scarce; but as I listen to some of the rhetoric, you would think that they were a downright endangered species or possibly even extinct.

I can only say from my own experience that a few years back my mother and dad took employment at a local nursery potting plants. Each year then thereafter when my dad approached the age of 80, each year they wanted to retire and quit, get out of the job. They would indeed quit in the fall of the year, and then in the spring of the year on each occasion the employer came back to them and pleaded with them to stay for just a couple of months in the spring or just into the summer. That went on for about 4 years. Finally they did indeed quit at about the age of 80. Those jobs were available, probably are still available. There are many other jobs of that caliber out there waiting for people to accept them.

I can only say from my own experience in my life, one of my great difficulties is not with unemployment. I have always had more employment than I knew what to do with. I think that is the case as we look around the job landscape today. The jobs are there. They may not be glamorous jobs, but they are out there and waiting. I would urge that we defeat the amendment.

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

Mr. MICHLOVIC. Earlier in his testimony in opposition to the Murphy amendment, Mr. Vroon made a statement that everybody fits into the unskilled labor category, and he went on to say later that that opens a major loophole. I would contend, Mr. Speaker, that if you really believe that—and there probably is some truth to the accuracy of that statement—if you do believe that, then you have every reason to vote for the Murphy amendment and not against it, because what the Murphy amendment does is take care of those people who cannot even fit into the definition of unskilled laborer, which Mr. Vroon has said fits everybody. So why should you be against this kind of amendment?

I think what Mr. Murphy is attempting to do here is just take care of those people who fall outside the category of unskilled laborer as set up by the Bureau of Employment Security, and I think that is a worthwhile endeavor. I urge you to support the Murphy amendment. Thank you.

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

Mr. COHEN. Mr. Speaker, I also support the Murphy amendment. Mr. Foster said in debate against it that he gets the impression that we think jobs are rather extinct and they are an endangered species. I believe he felt he was exaggerating the situation and ridiculing it through exagger-

ation. I would like to say that he was not exaggerating the situation, at least as far as Philadelphia is concerned. Jobs in Philadelphia for many, many areas are very close to being extinct. It does not help the job situation when people maintain them through their 80th birthday. In the Soviet Union, which I am not recommending we follow, there is a general retirement at age 50 and an absolute mandatory retirement at age 55. Therefore, they have no unemployment; everybody is retired.

I think that we have a very serious problem here. I note it in the significant omission in debate. It would certainly be a very telling point against the amendment and about the weaknesses of the Bureau of Vocational Security if Mr. Punt or anybody else would get up and say, I know of 1,000 jobs in Philadelphia that are not listed with the BVS and here is where the people could go. That would certainly be a telling point if somebody could come up with 1,000 jobs; it would be a telling point if somebody could come up with 500 jobs; it would be a telling point if somebody could come up with 100 jobs; it might even be an interesting point if somebody could specifically name one single job that they know of. But we have not heard that in a day and a half of debate. No one has yet come up with one single job specifically that is not listed with the BVS and that is available for an unskilled person.

Now, the Murphy amendment deals with certain unpleasant realities. In the world as we would like to see it, there would be jobs for everybody who would want to work. All that would have to happen is somebody would say, I want a job, and presto, like magic, there would be a job available for that person. In the real world the mere fact that somebody wants a job and is able-bodied does not create the job, and the Murphy amendment realizes this. I think we ought to recognize reality, and I think we ought to vote for the Murphy amendment.

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

The following roll call was recorded:

YEAS—76

Austin	Fee	Livengood	Richardson
Barber	Gallagher	McCall	Rieger
Beloff	Gatski	McIntyre	Ritter
Bennett	George, C.	McMonagle	Rodgers
Borski	Goodman	McVerry	Schmitt
Caltagirone	Grabowski	Manderino	Seventy
Cappabianca	Greenfield	Michlovic	Shupnik
Chess	Harper	Milanovich	Steighner
Clark, B. D.	Hoeffel	Mrkonic	Stewart
Cohen	Hutchinson, A.	Mullen	Street
Cole	Irvis	Murphy	Stuban
Cowell	Itkin	Musto	Sweet
DeMedio	Jones	Novak	Trello
DeWeese	Knight	O'Brien, B. F.	Wachob
DiCarlo	Kolter	Oliver	Wargo
Dawida	Kukovich	Petrarca	White
Dombrowski	Laughlin	Pievsky	Wright, D. R.
Duffy	Letterman	Pistella	Yahner
Earley	Levin	Rappaport	Zitterman

NAYS—98

Anderson	Fryer	Lynch, E. R.	Sieminski
Arty	Gallen	McClatchy	Sirianni
Belardi	Gamble	McKelvey	Smith, E. H.
Bittle	Gannon	Mackowski	Smith, L. E.
Bowser	Geesey	Manmiller	Spencer
Brandt	Geist	Micozzie	Spitz
Brown	George, M. H.	Moehlmann	Stairs
Burd	Gladeck	Mowery	Swift
Burns	Goebel	Nahill	Taddonio
Cessar	Grieco	Noye	Taylor, E. Z.
Cimini	Gruppo	O'Brien, D. M.	Taylor, F.
Clark, M. R.	Halverson	Perzel	Telek
Cochran	Hasay	Peterson	Thomas
Cornell	Hayes, Jr., S.	Piccola	Vroom
Coslett	Helfrick	Pitts	Wass
Cunningham	Honaman	Polite	Wenger
DeVerter	Hutchinson, W.	Pott	Wilson
Davies	Johnson, E. G.	Punt	Wilt
Dietz	Kanuck	Pyles	Wright, Jr., J.
Dorr	Klingaman	Rocks	Yohn
Durham	Knepper	Ryan	Zeller
Fischer	Kowalyszyn	Salvatore	Zord
Fisher	Lashinger	Scheaffer	
Foster, W. W.	Lehr	Schweder	Seltzer,
Foster, Jr., A.	Levi	Serafini	Speaker

NOT VOTING—22

Alden	Giammarco	Miller	Rhodes
Armstrong	Gray	O'Donnell	Shadding
Berson	Hayes, D. S.	Prait	Weidner
Dininni	Johnson, J. J.	Pucciarelli	Williams
Dumas	Lewis	Reed	Zwilk
Freind	Madigan		

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

WELCOMES

The SPEAKER. The Chair would like to introduce to the members of the House the first Miss Clinton County Queen, Cathy Mix. Cathy is a resident of Avis, Pennsylvania, and is currently a premedical student at Penn State University. She is 22 years old and will be representing Clinton County at the Miss Pennsylvania Pageant in June 1980. She is accompanied by William Tyson, the executive director of Clinton County tourist promotion, and they are both here as the guests of Mr. Letterman.

The Chair welcomes to the balcony Mrs. Ostien, Mrs. Eisenhower, Mrs. Craven, Mrs. Anderson, Mrs. Briscoe, Mrs. Mink, Mrs. McGinnis, and Mrs. Virginia Lynch, the wife of Representative Ray Lynch, who are here today as the guests of Representative Lynch.

REMARKS ON VOTE

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

Mr. PITTS. Mr. Speaker, I was out of my seat on the vote on the Gladeck amendment, A5070. I would like to be recorded in the affirmative.

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

CONSIDERATION OF HB 2044 CONTINUED

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Williams. Does the gentleman, Mr. Williams, have amendments to offer?

Mr. WILLIAMS. Mr. Speaker, I do have amendments to offer, but there are two sets of amendments similar, and the one that I am going to offer I cannot readily find right now. Could you pass it over until I find it?

The SPEAKER. The Chair thanks the gentleman.

QUESTION OF PERSONAL PRIVILEGE

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

Mrs. HARPER. First I would like to speak on a personal privilege. I was just sitting there observing the beauty queen, and I started thinking about the haves and the have-nots. I have lived in both worlds, the haves and the have-nots. I remember when I was a sales clerk at Gimbels department store, I was also a professional model. I used to work all day as a sales clerk, and then in the evenings I remember going to the Sheraton Hotel and modeling \$10,000 furs for college fashion shows. I think we should think about that. I have never forgotten. I live a little bit better now, but I have never forgotten those lean days, and we should think about the haves and the have-nots.

CONSIDERATION OF HB 2044 CONTINUED

On the question recurring,

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

Mrs. HARPER offered the following amendment:

Amend Sec. 1 (Sec. 432), page 3, line 4, by inserting after "405.1." No person shall be removed from assistance rolls pursuant to this subclause unless he or she has been offered employment at the Federal minimum wage, or higher.

On the question,

Will the House agree to the amendment?

Mrs. HARPER. My amendment simply states that "No person shall be removed from assistance rolls pursuant to this subclause unless he or she has been offered employment at the Federal minimum wage, or higher." The Federal minimum wage is \$3.10 per hour, just \$124 a week, \$6,448 per year, just really poverty level. I know of at least 100 people who are on relief and trying daily to get a job. I have applications in my office and I have people coming to my office daily, begging me to find them a job, any kind of job, because they only receive \$86 every 2 weeks. Imagine that - \$86 every 2 weeks. So I do not think that we should think about taking these people off assistance without offering them a job. I know we do not have jobs in Philadelphia. People are begging for jobs. Find them a job and then take them off assistance. I believe in working. I do not believe in ablebodied people being on assistance. You lose your pride; you lose so much. So give the people a job. Pass my amendment. Thank you.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair gives notice that it has given permission to WHP-TV, Harrisburg, to take silent film for 10 minutes commencing now.

CONSIDERATION OF HB 2044 CONTINUED

The SPEAKER. The Chair recognizes the gentleman from Franklin, Mr. Punt.

Mr. PUNT. As I read Mrs. Harper's amendment, it can do several things. One, this amendment allows the ablebodied recipients to remain on the rolls unless they are offered employment at or above the Federal minimum wage. The goal of this bill is to have persons seek employment rather than rely on government, and this amendment negates that goal.

Additionally, individuals who would apply for jobs or be called in for an interview, such as a waitress or a waiter or a person of that caliber, a profession of that caliber, would not have to take that type of employment. They could remain on the public rolls, and that again negates the intent of HB 2044. I oppose Mrs. Harper's amendment.

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

Mr. RICHARDSON. Mr. Speaker, I rise to support Mrs. Harper's amendment. I do it because of the fact that if you are not going to make sure that we have people within these governmental agencies who are going to supply some type of meaningful employment to people at some type of minimum wage, then we are just fooling ourselves. Mr. Punt and others on the other side of the aisle keep saying, we want people to go find employment. We come up with ways by which people can find employment and ask these governmental agencies that presently exist to do that, and you say, no; we do not want them to do that, we want them to go out on their own and find a job; it negates the bill. It means that your purpose is to just do what you are doing, and that is just crush people, regardless of whether or not there is any employment out there for them to get or not, and that unless those individual persons do it on their own, you are not accepting any agency that might be there. So why do you still leave the word "BES" in your bill, is the question I raise.

People are not as crazy as you think they are. In fact, they are more sophisticated than what you give them credit for. I think there is a deliberate attempt to stay away from the fact that the Harper amendment does in fact treat and speak to those specifics.

Where can you go right now? Who can tell us on the other side of the aisle? With all of this discussion today about jobs and employment for people, no one yet has come up with where there are jobs, no one. No one has stated yet where there are jobs for the people other than saying the jobs are there. The Bureau of Employment Security is supposed to have them. You say you do not have the specifics on that, even though we have given them to you from Mr. Street. We say to you, where else can people go

and find employment? They say the newspaper. We have already delineated the fact that after going through those want ads in the classified section, you will find that there are not that many jobs, if any, inside that newspaper that deal with persons who do not have any skills.

So I say that the Harper amendment offers an alternative to you who sit on the other side of the aisle who are voting the party line, who do not see the intensified struggle that is being waged to say, hey, people are willing to work in this Commonwealth if you give them jobs. You have not done that yet. Not one time has it been pointed out that you are willing to say, here are the jobs, and if people go to apply for them, they can get hired. You are saying to us that we do not care about that; we are not interested in that; we want you to do it this way or no way.

I share with you that the Harper amendment adds an alternative. If there is really some sincere effort towards dealing with what you are asking for and you are saying that the question is that ablebodied persons must be removed from the rolls because they should work and then negate the fact that the employment which we offer in an amendment is there, and say no, you do not support that, then what are we here for? because that speaks directly to the fact that the insensitivity level has clouded the issue to the point that the adrenaline that must be flowing has eliminated the clarity in terms of what has been offered on this floor with this amendment. I think that if there is not a diminishing of that clarity in relationship to your adrenaline flowing, then perhaps maybe you have some insight on the fact that what is being offered here is an opportunity for people to go to work for a decent wage and to make a decent living. Nothing has been said yet about the fact that even with employment, that these people who sit on employment with the rents rising high, all the problems that are setting now in relationship to our problems, who is going to pay the rent if these people are taken off GA? Who is going to pay the rent? You are giving them a 1-month check out of a year. Who is going to pay the rent? I did not hear any discussion on that; I heard no discussion. This amendment speaks to that.

I would ask that those who are intelligent enough to understand the difference between wiping people out cold-bloodedly, not giving them an opportunity to find employment that you say exists and then you cannot even tell us where the employment is, I would ask that you support the Harper amendment.

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

Mr. COHEN. Mr. Speaker, a recent study done for the Carnegie Foundation Commission on Children by Richard DeLone, a former education official in Philadelphia, and New Jersey, concluded after several years of study that the most important thing in determining whether somebody was going to get a job and, if he was going to get a job, what kind of job that person was going to get, was not income or ability but family connections and personal friendships. This was a very radical conclusion, because the entire belief

of many of our governmental programs is that personal ability is the most important thing in determining what kind of job a person will get.

We have a real problem that somebody living in Mrs. Harper's district or in my district or in many other districts of Philadelphia does not regularly associate in the course of his normal daily business with employers. There are not very many people in my legislative district—indeed, I doubt that there is a single person in my legislative district—who owns a factory so that the person, merely by walking next door, can say, I want a job at this factory. There are not very many people in my district and I doubt that there is a single person who has a close relative who owns a factory. And so when we tell people they ought to seek jobs, that does not mean that they will get jobs. Many people have come into my legislative office—by “many” I am talking about hundreds, if not thousands—and said they have sought jobs all over and they have not been able to get them.

What Mrs. Harper's amendment does is it says that somebody has to be offered at least one job at the minimum wage. If we believe that there are many, many jobs available, certainly it would not be impossible for that person to be offered one job. One job per person certainly seems to be plausible if there are jobs available. I think this is a very reasonable approach. If you think you would like documentation that a person has to have sought 50 jobs or 100 jobs, that can be added as a future amendment to this bill. But the real fact is that there are many people seeking many jobs who are not able to get any job, and I think Mrs. Harper's amendment is a very real, very valuable suggestion and a very valuable addition to this bill if the goal is to get people off welfare who do not want jobs.

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

(Statement by Mr. Street was voluntarily withdrawn, and subsequent comments by Messrs. Rocks, Salvatore, DiCarlo, Zeller, Manderino, and Ryan were deleted.)

The SPEAKER. The gentleman may proceed when ready.

Mr. STREET. Mr. Speaker, I think I was speaking to the Harper amendment. The Harper amendment, if I understand it, is again dealing with jobs, which we constantly reject, and I think it is because we are not listening to what is being said. I do not think that we are rejecting these amendments that are dealing with jobs in full consciousness of what is being said by the amendment, and in debating this amendment I would ask that we support the Harper amendment, because it does in fact address the issue of jobs at a fair rate, at a fair rate—\$154 a week, I believe Mrs. Harper quoted. That is not a lot of money, and I cannot understand why we continue to reject these types of amendments that go right to the issue of jobs.

Again, I support the Harper amendment, and I know that everybody who would just listen, if they have read the Harper amendment, will also support the Harper amendment.

The SPEAKER. The Chair understands Mr. Street's frustration. For many years the Chair has carried in his pocket a note: "They listen to my words, but they don't hear what I say."

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

Mr. LEVIN. Mr. Speaker, I would hope in this long day that the members would pause for just a little second to take a look at the Harper amendment. It really is not very complicated, and I am afraid that in the humor that just passed, it may very well have been lost in the shuffle.

The amendment merely says that no person shall be removed from assistance rolls unless he or she has been offered employment at the Federal minimum wage. That would mean that they would have had to have an opportunity to get one job at a minimum-wage salary. That is probably around \$124 a week.

All of us have indicated that the motivation for this bill offered by the Governor was to remove able-bodied people from the rolls who should not be on the rolls. If our society cannot offer the proof by giving them at least one opportunity, then I believe the bill is a sham.

Those of us who want to do something about the welfare rolls, and at the same time want to help the people in our communities, understand that this is a proper amendment, and I would hope you would look at it carefully and not just push your switches, if you have in the past. The Harper amendment is a good amendment. It does not defeat the bill, and yet it shows some compassion for people who cannot help themselves.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, Mr. Levin has addressed himself soberly to the same point that I spoke to about one-half hour ago. We are voting apparently according to who offers an amendment rather than what is in an amendment. It is not the first time the House has done that and probably not the last, but I want to add my voice to what the sober, analytical voice of Mr. Levin just said.

Those of you who have been voting in the negative on all these amendments, look at the Harper amendment. Those of you who stood on this floor and said, there are plenty of jobs out there and anybody who really wants to work can find a job—incidentally, some of you who are in your thirties sound more like my father, who would be 80 if he were alive, than I sound like him. That was his philosophy—if you want to work, you can get a job. All right; let us assume you are right. I do not think you are, but let us assume you are.

All the Harper amendment says is, if an able-bodied person shows up and says I want to go on general assistance, the only thing that has to be done to keep that person from being on general assistance is for someone to offer a job somewhere. It does not even say it must be within the geographical area where the person lives. Someone has to offer a job somewhere to that applicant which job meets the Federal minimum wage. That means

and the estimates are that 81 percent of the people who will be affected by this legislation live either in Pittsburgh or in Philadelphia, 81 percent. For those of you who come from the suburban areas, the nonurban areas, who I think probably genuinely believe what you say, that there are jobs, that means that if someone in the middle of Philadelphia applies for general assistance and is told, there is a job for you in Cambria County and it pays you the Federal minimum wage and that job is yours if you will go there, and if that applicant says, I live in Philadelphia and I cannot go to Cambria County, then under the Harper amendment that applicant can be denied general assistance, because a job has been offered at the Federal minimum wage. Now, that is what it says. If you vote against this amendment, then I charge you that you are not sincere in talking about taking people off the rolls because they are too lazy or they do not want to work, because this is a very minimum thing that you ought to be able to accept.

Can you imagine someone coming to you—let us say you are a gentleman like Mr. Cunningham and you are willing to work at any kind of job, anyplace, because you are ambitious and you want to take care of yourself, and someone says to you, in the middle of Philadelphia, there is a job for you; it is on the borderline of Ohio and Pennsylvania, but it pays the Federal minimum; if you really want to work, you can go over there and have that job; and that person says, I do not want to go that far. Under the Harper amendment that person does not any longer qualify for general assistance. You are going to vote against that kind of amendment if you really mean that you are trying to get people off welfare who are too lazy to work? I suggest if you look at that amendment, some of you had better change your mind about your vote. Thank you, Mr. Speaker.

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

Mr. DICARLO. Mr. Speaker, those of you who have served with me the last 8 years probably realize from some of my votes, I am having a very difficult time on this legislation. It is not often that I get up and I oppose the leader of my party, especially on philosophical issues that deal with people and people's needs, but I do in this case, and I think perhaps the argument that Mr. Irvis brought up about the ridiculousness of the Harper amendment, of what could happen to people, probably is a valid enough argument to defeat the amendment.

Mr. Speaker, I think we have to look at a couple of things. First of all, the Harper amendment and the overall intent may sound good, but there is one item that she puts in there, one clause, and that is, a person has to be offered a job that pays minimum wage. I say to you that a lot of us represent areas that are service areas; they are depending on tourism; they are depending on all kinds of other outside interests that are not directly related to manufacturing or other kinds of industry that pay minimum wage or even higher wages. Mr. Speaker, they are jobs that are dependent, that generate the local economy; they are jobs that

people are dependent on heavy tips, on seasonal expectations and so forth; and they are jobs that can give people the opportunity and the experience. What we are talking about and what we are forgetting is, we have people in this state who do not have any job performance; they have no job record. They do not know what it is to get up and to go to work, and they do not have job habits like we do, and that is an important learning experience. You are not going to get paid \$3.10 an hour if an employer does not know if you are going to come to work day after day.

Mr. Speaker, what has to be done is defeat the amendment, and I think if we are sincere and if we want to look, I think referrals have to be made to jobs, and I think what we have to do is give people the opportunity to get into the work sector and into the private sector. Once they can have the opportunity to know what it is to work, within themselves they can provide those incentives to go out and get some experience and hopefully move into high-ranking jobs. But to vote for the Harper amendment, I think, is going to destroy any incentive for other people and lots of people who can indeed use jobs in local areas that can provide some sort of relief. Therefore, Mr. Speaker, I ask for the defeat of the Harper amendment.

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

Mr. ZELLER. Mr. Speaker, I, too, follow the remarks and endorse the remarks of Mr. DiCarlo.

It bothers me—and I made note of it—that my minority leader would start his remarks with what I call an insult to all of us who would vote against this amendment in that he stated, in his opening remarks, you are not looking at the amendment but rather who is introducing it. Now, I tell you, Mr. Speaker, I respect Mrs. Harper most highly, and I really do, and I am not looking at who is introducing it, as far as being against it, because of Mrs. Harper. I think highly of her, and I am looking at the amendment. I am looking at the amendment. So that, to me, was an insult, an insult to every member in this House.

Also, he finished his remarks with an insult in telling me and you, I charge you with not being sincere if you vote "no." Who is Mr. Irvis to tell me that I am not sincere? Is he a mind reader? Does he read my mind? Is he a psychologist? I take offense to this, and I tell you that those are the wrong kinds of tactics to use on the floor of this House, and I tell you sincerely.

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

Mr. COHEN. Mr. Speaker, speaking for myself, I do not—

Mr. IRVIS. Will the gentleman yield?

The SPEAKER. Will the gentleman yield?

Mr. COHEN. Yes, Mr. Speaker

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I want to assure the gentleman, Mr. Zeller, that I am not a mind reader, and if I were, I would stay out of his mind.

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

Mr. COHEN. Mr. Speaker, because I have such great respect for the sincerity of all House members, I would like to point out that I have a little experience with the restaurant business, which deals in tips in terms of compensation. My father was an attorney for a leading Philadelphia restaurant, and my sister has worked at several places, at several restaurants.

I think, Mr. Speaker, that when you say there is a minimum wage, that includes tips, and many restaurants pay \$1 an hour, \$1.50 an hour, and the figure gets up to \$3.10 an hour by tips, and there are many other jobs where you get up to \$3.10 an hour by tips. Mrs. Harper's amendment would not change that. When she says she is going under the Federal minimum-wage standards, she is automatically applying in this amendment all the laws and regulations the Federal minimum wage deals with. So, therefore, anybody who is concerned that they have to vote against this amendment because it would not include jobs that pay \$1 an hour but you get \$2 an hour in tips, that concern is not a valid concern. Any of those jobs would count under this amendment, and that is another reason to support it.

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

Mr. RAPPAPORT. Mr. Speaker, late yesterday I offered two amendments that had been drawn by my colleague, Mr. Levin, and those amendments spoke to the unemployment level established by the Federal Department of Labor to trigger unemployment compensation, and to people who are able-bodied, who have been offered jobs and certified as such by the Bureau of Employment Security. I thought the amendments were pretty good, and the House must have agreed with me. I think they got more votes than any other amendments yesterday. However, the amendment advanced by the lady from Philadelphia goes much further than those two amendments that I offered yesterday. It does not require certification; it does not require an unemployment rate, none of that. All her amendment says is that if you have been offered a job at the minimum wage and you do not take it, starve. That is all it says.

Now, this amendment goes much further than the two amendments that I argued for yesterday. I remember, however, the remarks of the gentleman from Franklin yesterday in opposing my amendment. He said society is under no obligation to support somebody who can work, regardless of whether there was work available for that person. Let me repeat that again. The gentleman from Franklin said that no man is his brother's keeper, that if a person does not have a job and cannot get a job, then we have no responsibility to that person.

I was taught at a rather young age that the question, am I my brother's keeper? was the question of an immoral person and, indeed, we are told, the question of the first person who committed homicide in our history. Now we are faced with the same basic philosophical question: Are we our brothers' keepers?

We are not standing here and defending somebody who will not work when there is work available. That is not the argument. The argument is, do we owe an obligation to someone and his family if he is willing to work and there is no work for that person at the minimum wage, which is little enough? Government in the United States has undertaken that responsibility, starting with the WPA - Works Progress Administration - and most recently CETA - Comprehensive Employment and Training Act. I wonder if the members of this House are ready to answer the question when asked, are we our brothers' keepers? and to answer no, because a "no" vote on that amendment is indeed a "no" to that question, and each of us will have to live with it, whether or not we have to answer to our voters for it. Thank you, Mr. Speaker.

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

Mr. STREET. Mr. Speaker, again I want to speak to the Harper amendment. The reason why we are having so much debate around these amendments is because we do not understand the very premise that Mr. Punt put forward yesterday that I tried to point out, based on the rationale for this bill. In going to Mr. DiCarlo's remarks that he just made about the minimum wage and an employer hiring an individual and he does not know whether that individual is going to come to work, is a derogatory remark centered toward the GA recipients, saying that they are lazy and they do not go to work and the employer is not going to employ them because he is not going to know whether they come to work. The reason why we make statements like that is because we do not listen to the premise from which the bill has come, and if we take the very formula that Mr. Punt answered my question yesterday in how they arrived at the \$34 million and multiply that by the 80,000, you would find out that the average GA recipient only stays on general assistance for a period of 2 1/2 to 3 months. That is using your formula as a basis. We keep making these remarks and going around and around and around the robin's dell because we do not understand, as representatives, the formula in which this bill is being pushed. Understand that formula, understand the premise, and then you can understand these amendments.

Mrs. Harper's amendment goes to temporary jobs which the GA formula that you are using dictates, that the general assistance recipient stays on assistance on a temporary basis. That is the formula, based on your own remarks, Mr. Speaker. Now, if somebody over there got off your butt and did your homework, you can contradict those figures. And if we understand that, what we will do is we will deal with some of these amendments because what they will be designed to do is nothing more than provide temporary jobs anyhow because we have already agreed, based on the premise of the bill, that people only stay on on a temporary basis. And I would, with that, ask the support of the amendment.

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

Miss SIRIANNI. Mr. Speaker, may I interrogate Mr. Street?

The SPEAKER. On the amendment, the lady is in order and may proceed.

Miss SIRIANNI. Mr. Speaker, yesterday I told you where there were 200 jobs and to get me some applications. Did you do anything about it?

Mr. STREET. Yes.

Miss SIRIANNI. Where are the applications?

Mr. STREET. I have done better than that. I have the people. Some of them are sitting right up there.

Miss SIRIANNI. Well—

Mr. STREET. I do not want applications. Applications cannot work; people can. So I brought you people. Now, do you want to go back there and interview them? They are up there waiting. Do you want to go interview them?

Miss SIRIANNI. They cannot stay in Philadelphia if they want the jobs. They have got to move where the jobs are.

Mr. STREET. No; they would like to move out there with you.

Mr. Speaker, I am not trying to be facetious, but I brought people up here today. I went on the radio last night and I advertised that there was a Representative who had 200 jobs, and for people who wanted those jobs to come to Harrisburg. So if you find 500 or 600 up here in a couple hours, direct them to Miss Sirianni and hope that she can produce.

Miss SIRIANNI. Mr. Speaker, I did not tell Mr. Street that the jobs were in Harrisburg. I told him they were in Hallstead, Pennsylvania, and to send the people up there.

Mr. McCLATCHY. Mr. Speaker, are we talking about the amendment?

The SPEAKER. The point is well taken.

Mr. STREET. Am I finished being interrogated?

The SPEAKER. The lady has completed her interrogation.

Mr. STREET. I want to be interrogated some more.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—78

Austin	Gatski	McVerry	Richardson
Barber	George, C.	Manderino	Rieger
Beloff	Goodman	Michlovic	Ritter
Borski	Greenfield	Milanovich	Rodgers
Brown	Harper	Mrkonic	Schmitt
Cappabianca	Hoeffel	Mullen	Seventy
Chess	Hutchinson, A.	Murphy	Shupnik
Clark, B. D.	Irvis	Musto	Steighner
Cohen	Itkin	Novak	Stewart
Cole	Jones	O'Brien, B. F.	Street
Cowell	Knight	O'Brien, D. M.	Stuban
DeMedio	Kolter	O'Donnell	Sweet
DeWeese	Kukovich	Oliver	Taylor, F.
Dawida	Laughlin	Petrarca	Trello
Dombrowski	Letterman	Pievsky	Wachob
Duffy	Levin	Pistella	Wargo
Earley	Livengood	Pucciarelli	White
Fee	McCall	Rappaport	Williams
Fryer	McIntyre	Rhodes	Yahner
Gallagher	McMonagle		

NAYS—99

Anderson	Foster, Jr., A.	Lynch, E. R.	Sirianni
Arty	Gallen	McClatchy	Smith, E. H.
Belardi	Gamble	McKelvey	Smith, L. E.
Bennett	Gannon	Mackowski	Spencer
Bittle	Geesey	Manmiller	Spitz
Bowser	Geist	Micozzie	Stairs
Brandt	George, M. H.	Moehlmann	Swift
Burd	Gladeck	Mowery	Taddonio
Burns	Goebel	Nahill	Taylor, E. Z.
Caltagirone	Grabowski	Noye	Telek
Cessar	Grieco	Perzel	Thomas
Cimini	Gruppo	Peterson	Vroon
Clark, M. R.	Halverson	Piccola	Wass
Cochran	Hasay	Pitts	Wenger
Cornell	Hayes, Jr., S.	Polite	Wilson
Coslett	Helfrick	Pott	Wilt
Cunningham	Honaman	Punt	Wright, D. R.
DeVerter	Johnson, E. G.	Pyles	Wright, Jr., J.
DiCarlo	Kanuck	Rocks	Yohn
Davies	Klingaman	Ryan	Zeller
Dietz	Knepper	Salvatore	Zitterman
Dorr	Kowalshyn	Scheaffer	Zord
Durham	Lashingner	Schweder	
Fischer	Lehr	Serafini	Seltzer,
Fisher	Levi	Sieminski	Speaker
Foster, W. W.			

NOT VOTING—19

Alden	Freind	Johnson, J. J.	Reed
Armstrong	Giammarco	Lewis	Shadding
Berson	Gray	Madigan	Weidner
Dininni	Hayes, D. S.	Miller	Zwilk
Dumas	Hutchinson, W.	Pratt	

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

REQUEST FOR RECESS

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I suggest that we recess now for the purpose of lunch; that we return to the floor in 1 hour, at 1:50.

APPROPRIATIONS COMMITTEE MEETING

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

Mr. McCLATCHY. Mr. Speaker, I have an announcement for a committee meeting of the Appropriations Committee in the Appropriations Committee hearing room, at the recess that has been called right now.

The SPEAKER. The chairman of the Appropriations Committee asks for an immediate meeting of the Committee on Appropriations on the call of the recess in the Appropriations Committee room.

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

Mr. RICHARDSON. Mr. Speaker, I would like to know if we could get some clarity on what is scheduled for the rest of the week. Many members who are here heard—

The SPEAKER. The Chair has been informed that the House will stay in session until it has completed its debate on HB 2044.

RECESS

The SPEAKER. Without objection, this House now stands in recess until 2 p.m.

AFTER RECESS

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

SENATE MESSAGE

AMENDED HOUSE BILL
RETURNED FOR CONCURRENCE

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

HB 1382, PN 2947.

The SPEAKER. The bill will appear on the calendar.

SENATE MESSAGE

ADJOURNMENT RESOLUTION FOR
CONCURRENCE

The Senate presented the following resolution for concurrence:

In the Senate, March 4, 1980

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, March 10, 1980; and be it further

RESOLVED, That when the Senate adjourns the week of March 10, 1980 it reconvene on Monday, March 17, 1980; and be it further

RESOLVED, That when the House of Representatives adjourns this week it reconvene on Monday, March 17, 1980 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.

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

HB 2107, PN 3004 (Amended)

By Rep. McCLATCHY

An Act amending the act of October 5, 1972 (Sp. Sess. No. 1, P. L. 2019, No. 4), entitled, as amended, "An act implementing the provisions of clause (1) of subsection (a) of section 7 of Article VIII of the Constitution of the Commonwealth of Pennsylvania authorizing the incurring of debt for the rehabilitation of areas affected by the Great Storm and Floods ***; creating certain funds; and making an appropriation," further providing for the disposition of certain funds.

APPROPRIATIONS.

HB 2159, PN 2746 By Rep. McCLATCHY

An Act amending the act of March 28, 1974 (P. L. 228, No. 50), referred to as the Higher Education Assistance Continuation Law, further providing for coordination with Federal financial aid programs.

APPROPRIATIONS.

HB 2335, PN 3001 By Rep. McCLATCHY

An Act amending the "Federal Augmentation Appropriation Act of 1979," approved July 4, 1979 (No. 10A), changing appropriations and adding appropriations.

APPROPRIATIONS.

HB 2340, PN 3009 By Rep. McCLATCHY

An Act authorizing the Department of Community Affairs to plan and administer a Statewide community conservation and employment opportunities incentive grant program.

APPROPRIATIONS.

SB 877, PN 1000 By Rep. McCLATCHY

An Act making an appropriation to the United Cerebral Palsy of Southwest Pennsylvania, Washington.

APPROPRIATIONS.

SB 1163, PN 1425 By Rep. McCLATCHY

An Act making an appropriation to the Lancaster County Branch of the Pennsylvania Association for the Blind, Inc., for the provision of services to the blind.

APPROPRIATIONS.

SB 1176, PN 1606 (Amended)
By Rep. McCLATCHY

An Act making an appropriation to the Hazleton Branch of the Pennsylvania Association for the Blind.

APPROPRIATIONS.

BILLS REREPORTED FROM COMMITTEE**HB 348, PN 370** By Rep. McCLATCHY

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, further providing for pay of officers and enlisted personnel.

APPROPRIATIONS.

HB 769, PN 835 By Rep. McCLATCHY

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), revising the definition of "taxable income" for purposes of the corporate net income tax.

APPROPRIATIONS.

HB 1162, PN 3003 (Amended)
By Rep. McCLATCHY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for a plea or finding of guilty but mentally ill.

APPROPRIATIONS.

HB 1374, PN 1918 By Rep. McCLATCHY

An Act establishing a county prison board for any county of the second class and providing for the powers and duties thereof.

APPROPRIATIONS.

HB 1662, PN 2865 By Rep. McCLATCHY

An Act establishing a State corporation to foster industrial and commercial and technological development to develop employment opportunities and making an appropriation.

APPROPRIATIONS.

HB 1739, PN 2125 By Rep. McCLATCHY

An Act amending Title 9 (Burial Grounds) of the Pennsylvania Consolidated Statutes, further providing for the filing of accounts.

APPROPRIATIONS.

HB 2012, PN 2544 By Rep. McCLATCHY

An Act amending the "Vital Statistics Law of 1953," approved June 29, 1953 (P. L. 304, No. 66), requiring the issuance of certified birth certificates.

APPROPRIATIONS.

HB 2254, PN 2929 By Rep. McCLATCHY

An Act amending the "Pennsylvania Rural and Intercity Common Carrier Surface Transportation Assistance Act," approved February 11, 1976 (P. L. 14, No. 10), adding definitions, authorizing grants to provide free and reduced fare local transportation for persons sixty-five years of age or older.

APPROPRIATIONS.

HB 2255, PN 2884 By Rep. McCLATCHY

An Act amending the "State Lottery Law," approved August 26, 1971 (P. L. 351, No. 91), further providing for the allocation of money in the fund and making editorial changes.

APPROPRIATIONS.

SB 508, PN 1604 (Amended) (Unanimous)
By Rep. McCLATCHY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the inspection of vehicles and mass transit vehicles and legislative approval of regulations relating to inspections.

APPROPRIATIONS.

SB 881, PN 1605 (Amended) (Unanimous)
By Rep. McCLATCHY

An Act amending the act of January 22, 1968 (1967 P. L. 42, No. 8), entitled, "Pennsylvania Urban Mass Transportation Assistance Law of 1967," adding and further providing for definitions and program authorizations, making an editorial change, further providing for project grants, further providing for intergovernmental cooperation, providing for State subsidies, authorizing the creation of a transportation authority to function in each metropolitan area consisting of any county of the first class and all nearby counties within a radius of twenty miles of any such first class county, as a body corporate and politic for the purpose of establishing an integrated mass transportation system with all pertinent powers including, but not limited to, leasing, acquiring, owning, operating and maintaining a system for, or otherwise providing for, the transportation of persons, authorizing the borrowing of money and issuance of bonds therefor, conferring the right of eminent

domain on the authority; altering the jurisdiction of the Public Utility Commission, authorizing the acceptance of grants from Federal, State and local governments, limiting actions against the authority and exempting it from taxation, authorizing counties and municipalities to enter into compacts for the financing of each authority and to make appropriations in accordance with such compacts, creating a citizen advisory committee conferring exclusive jurisdiction upon certain courts with respect to matters relating to such authority, empowering each authority to function outside of the metropolitan area under certain terms and conditions, imposing a requirement to submit a reorganization plan, providing sanctions for failure to submit a reorganization plan and making appropriations, and making certain transfers and repeals.

APPROPRIATIONS.

CONSIDERATION OF HB 2044 RESUMED

On the question recurring,

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

The SPEAKER. The Chair recognizes the lady from Philadelphia, Mrs. Harper. Does the lady have an additional amendment to offer?

The lady, Mrs. Harper, offers the following amendment.

Mrs. HARPER. Mr. Speaker, would you pass over my amendment or have a reconsideration of the first one, please?

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I would ask the lady to withdraw her motion for reconsideration at this time. There have been, I am guessing, some six or eight reconsideration motions filed with the Speaker of the House. My preference would be to take all of the amendments before we get into reconsidering those that we have already handled.

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

Mrs. HARPER. Mr. Speaker, I would like to ask the majority leader if I will withdraw my other amendment in exchange for reconsideration on this one, would that be appropriate?

Mr. RYAN. Trying to cut a deal?

Mrs. HARPER. Yes. Yes, I am.

Mr. RYAN. What will I ever do with Milton Street with 267 to put out on waivers? I would prefer really to handle reconsiderations all at the same time, because I think it is a separate issue.

Mrs. HARPER. All right. Thank you.

The SPEAKER. The Chair then believes that the lady is not going to offer this amendment at this time, is that correct?

Mrs. HARPER. That is correct, Mr. Speaker.

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

Mr. GOEBEL. To make a motion, Mr. Speaker.

The SPEAKER. The gentleman will yield. The House is at ease for a moment. The Chair will recognize him in a moment.

Mr. GOEBEL. Thank you, Mr. Speaker.

The SPEAKER. Is the gentleman, Mr. Street, ready to offer his amendment?

Mr. STREET. I am ready.

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

Mr. STREET. No purpose.

MOTION TO ADJOURN

Mr. STREET. At this time I move that this House adjourn until 11 tomorrow morning.

The SPEAKER. The gentleman from Philadelphia, Mr. Street, moves that this House do now adjourn until 11 a.m., Wednesday, March 5. This motion is not debatable, but the Chair, under the rules, has the privilege to recognize the majority and minority leader for comments.

The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I have a great deal of difficulty reconciling the remarks of Mr. Street yesterday with his motion of this afternoon. Yesterday he pointed out to the House that it was not his intention to filibuster or delay the consideration of this bill. This afternoon he moves to adjourn until 11 o'clock tomorrow morning.

I would oppose the motion to adjourn by Mr. Street and ask the members to join with me in such opposition. If we are going to continue the work of this House, we must quickly dispose of HB 2044, together with its amendments, and get on to the business of the Commonwealth. I think to join with Mr. Street in this adjournment resolution at this time would not be a responsible act on our part.

The SPEAKER. Does the minority leader wish to be recognized?

Mr. IRVIS. Will the House be at ease for a moment, Mr. Speaker?

The SPEAKER. The House will be at ease.

MOTION WITHDRAWN

Mr. STREET. Mr. Speaker, I withdraw my motion to adjourn.

The SPEAKER. The gentleman, Mr. Street, withdraws his motion to adjourn.

Are there any further amendments to HB 2044?

Mr. STREET. Mr. Speaker, I am prepared to offer my amendments at this time.

The SPEAKER. The gentleman is in order and may send his amendments to the desk.

On the question recurring,

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

Mr. STREET offered the following amendment:

Amend Sec. 1 (Sec. 432), page 2, by inserting between lines 27 and 28 (G) A person who works full-time or part-time and who, with the incentives of the United States Department of Welfare Work Incentive Program (WIN), nevertheless would be financially eligible to receive assistance. Said person shall receive all the benefits and exemptions of the WIN program.

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

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

Mr. STREET. Mr. Speaker, this amendment A5472 deals with the United States Department of Welfare's Work Incentive Program, WIN. What it says is that people who work full time or part time and are connected with that program, "Said person shall receive all the benefits and exemptions of the WIN program." I think Mr. Punt understands this amendment and I would ask the House to give me a positive vote on this amendment.

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

Mr. WILLIAMS. Mr. Speaker, would the speaker, Mr. Street, stand for interrogation?

The SPEAKER. The gentleman, Mr. Street, indicates that he will stand for interrogation. The gentleman, Mr. Williams, may proceed.

Mr. WILLIAMS. Mr. Speaker, would you explain the WIN program and how this amendment applies to that?

Am I correct that the WIN program has to do with jobs and has to do with motivation? Would you explain it so everybody will know what we are talking about?

Mr. STREET. Yes. I think most of the people in here who are concerned about welfare understand the WIN program. The WIN program is something that you have to sign up for when you sign up for welfare.

Mr. WILLIAMS. Mr. Speaker, will the gentleman, the prime sponsor of the bill, stand for a brief interrogation?

The SPEAKER. Has the gentleman, Mr. Williams, completed his interrogation?

Mr. WILLIAMS. No, Mr. Speaker, I have not completed it.

The SPEAKER. The gentleman may continue.

Mr. WILLIAMS. Mr. Speaker, I did complete my interrogation of Mr. Street.

I did desire to ask the gentleman, Mr. Punt, if he would stand for a brief interrogation.

The SPEAKER. The gentleman, Mr. Williams, has asked whether Mr. Punt will stand for interrogation on the amendment. The gentleman may proceed.

Mr. WILLIAMS. Mr. Speaker, do you understand the WIN program Mr. Street's amendment speaks of?

Mr. PUNT. Mr. Speaker, I understand the WIN program. I do not understand Mr. Street's amendment.

Mr. WILLIAMS. Do you understand how it would apply—I will not say you do not have any street knowledge or street smarts. Nevertheless, Mr. Speaker, do I understand that you do not have any particular feeling one way or the other about the applicability of the Street amendment to HB 2044 because you do not understand the amendment?

Mr. PUNT. Mr. Speaker, I am waiting to get a copy of the amendment. I have not seen it yet.

Mr. WILLIAMS. Oh, I see.

Mr. STREET. Mr. Speaker, I will withdraw the amendment.

Mr. PUNT. Thank you, Mr. Speaker.

Mr. STREET. If Mr. Punt is not ready, I will withdraw—

The SPEAKER. Will the gentleman yield? Is the gentleman permanently withdrawing this amendment?

Mr. STREET. Temporarily.

The SPEAKER. The question before the House is the amendment offered by Mr. Street. Does the gentleman wish to explain his amendment?

Mr. WILLIAMS. Mr. Speaker, I have the floor. I have not relinquished it yet.

The SPEAKER. The Chair has asked Mr. Street whether or not he would wish to explain his amendment.

Mr. STREET. I have explained my amendment to Mr. Punt. I imagine it is over his head. If he has any further questions—

POINT OF ORDER

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

Mr. WILLIAMS. I raise a point of order.

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

Mr. WILLIAMS. My point of order is that I was on the floor interrogating Mr. Punt. Mr. Punt begged off that he did not have a copy, and I would like my interrogation to continue by suggesting that someone provide him with a copy so he can read it. Is that hard to do? Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Williams, may proceed. The Chair has seen that Mr. Punt has now received a copy of the amendment.

Mr. WILLIAMS. Mr. Speaker, after having received and read the copy of the WIN amendment, do you now understand it?

The SPEAKER. Will the gentleman, Mr. Williams, yield? The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I am not going to accuse and I am not accusing Mr. Williams of trying to prolong the agony of the consideration of HB 2044. However, I am stating, and I believe this to be fairly accurate, that the normal procedure when a gentleman has an amendment to offer is to explain his amendment and not interrogate someone else.

Now if the gentleman Mr. Street has an amendment and Mr. Punt wants to interrogate him, I think that is okay. I think that is normal. If Mr. Williams wants to interrogate Mr. Street because he, Mr. Williams, does not understand that amendment, I think that is normal. But to prolong this with a filibuster, using tactics that are, frankly, very novel on the floor of the House, I think is ridiculous and I am suggesting that we go along in the usual fashion. If Mr. Street has amendments, go ahead and offer them. If someone wants to interrogate him, be interrogated. Other than that, go ahead and explain your amendments and stop interrogating the prime sponsor of the bill. I think that is something that is out of the ordinary and not necessary.

I would suggest, frankly, to Mr. Punt that he not consent to such interrogation, and let the proponents of the amendments handle their own floor debate as proponents of their own measures.

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

Mr. WILLIAMS. Mr. Speaker, on that note of personal privilege, I would like to respond to that since it was interrupted through my gracious yielding to Mr. Ryan.

I do not think that the majority leader needs to tell any one of us how to intelligently conduct a dissemination of ideas for the State of Pennsylvania. Whereas you do not accuse me of what you call a "filibuster," I understand full well, being a skillful attorney, that that is a veiled accusation. Well, I am here to tell you that I believe in and have gone through several years in this House of full, open and honest debate, and I have seen some things I might call ludicrous or ridiculous, but I think that is what a democracy is for. If, as I have said many times and if you recall the death penalty debate many years ago where all of us had our minds made up and we fully understood, after 2 days of open debate, that it was wrong, all philosophical psyches agreed with that. All I am saying, Mr. Speaker, is, even if a filibuster were filibustered, that is much more close to our democracy than to suffocate and to turn off and to suppress ideas by elected officials of the State of Pennsylvania, simply because Mr. Punt, master of kick, pass, punt and run, at this point should not run.

I would like to return to my interrogation that I am properly entitled to. I might say that my comments usually always are, and this time are, very honest, very direct. I think you have demeaned me by calling an intelligent pursuit of ideas a filibuster. How cheap that is, because I have been told that when those who run, who are cowards, from ideas, they say something like filibuster. Well, I am here to tell you that everything I say on this bill, if not to convince you or whomever, is to cause something on the record for the citizens in the State of Pennsylvania to understand that fiscal havoc is in the wings and that you will be responsible. That is what I am doing. I cannot speak for anybody else.

I would like to continue my interrogation, Mr. Speaker. Mr. Punt can defend himself I am sure. He is an awesome author of this idea.

The SPEAKER. Members of this House do not have to defend themselves.

Mr. WILLIAMS. I agree. So let Mr. Punt speak for himself. Otherwise—

The SPEAKER. The gentleman, Mr. Punt, indicates that he will stand for interrogation on the amendment. The gentleman may proceed.

Mr. WILLIAMS. Mr. Speaker, I had a very simple one or two questions, not that complicated. I just wanted to really understand if you understood the WIN program and how the Street amendment applied to that and to the bill. The only reason for my asking is so the House would have Mr. Street's ideas based on an idea of WIN that we have

seen fit to implement. Number two, if you, the author of this bill, would understand or concede that it might fit into just what you are after. That is all. I just want to know if you understand how this amendment and the WIN program apply.

Mr. PUNT. Mr. Speaker, I would be happy to answer your question and particularly your second question after your first question is explained to this House of Representatives by the sponsor of the amendment, Mr. Street.

Mr. WILLIAMS. Okay. Mr. Street, if the Speaker would permit, in continuity, so we can get some sense here, if I could ask Mr. Street if he would further expound on the applicability of the WIN program to the satisfactory understanding of Mr. Punt.

QUESTION OF PERSONAL PRIVILEGE

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

Mr. PUNT. I rise to a point of personal privilege.

The SPEAKER. The gentleman will state his point of personal privilege.

Mr. PUNT. In view of Mr. Street's comments a while ago that a lot of things go over my head, I would like for Mr. Street to keep in mind that just about everything goes over my head, being at 5'3". I would appreciate Mr. Street keeping down to a lower level.

The SPEAKER. I hope the gentleman, Mr. Punt, will always remember that short people are the first to smell the flowers and the last to feel the rain.

Mr. PUNT. Yes, Mr. Speaker, and we are the first to reap the benefits when we are slow dancing.

The SPEAKER. The Chair recognizes Mr. Street.

Mr. STREET. Mr. Speaker, on my amendment, we have HB 2044, and I will explain my amendment and I have been saying everytime I got up on the floor of this House that the prime sponsor of this bill has not investigated all the jobs, available programs, to see if those programs are working. I—

The SPEAKER. The gentleman is recognized to explain his amendment, not to make a speech. The gentleman may explain his amendment.

Mr. STREET. Well, Mr. Speaker, if I may.

Mr. WILLIAMS. Mr. Speaker, if I may. Mr. Speaker, Mr. Street is explaining full well to my satisfaction—

The SPEAKER. The gentleman will yield. Mr. Street is recognized to explain his amendment. The gentleman, Mr. Street, may proceed.

Mr. WILLIAMS. Mr. Speaker, a point of personal privilege.

The SPEAKER. The gentleman, Mr. Williams, will please take his seat.

Mr. WILLIAMS. Mr. Speaker, point of personal privilege.

The SPEAKER. The gentleman will please take his seat. The Chair will recognize him when Mr. Street has completed his analysis of his amendment.

Mr. WILLIAMS. Mr. Speaker, would you kindly tell me under what rule—

The SPEAKER. Will the gentleman please take his seat?

Mr. WILLIAMS. Mr. Speaker, I will do whatever the rules require. I am asking the Speaker under what rule are you ordering me to take my seat and for what purpose? If so, why are you discriminating against me? I have never seen you order anybody to sit down, and especially a Republican. You tell me the rule and cite it, and I will sit down.

Why is Mr. Ryan not sitting down? He has nothing to say. I am on the floor. If he sits down, I might sit down. Under any circumstances, no, he will never sit down.

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

Mr. WILLIAMS. Mr. Speaker, my question is still on the floor about whether I am going to sit down or not.

The SPEAKER. Does the gentleman, Mr. Street, wish to be recognized? The gentleman, Mr. Street, may proceed.

Mr. WILLIAMS. Mr. Speaker, point of order.

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

Mr. STREET. I am yielding to Mr. Williams.

PARLIAMENTARY INQUIRY

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

Mr. WILLIAMS. I rise to a point of parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS. My point, Mr. Speaker, is, my understanding is, I have the floor and I have asked for an interrogation of Mr. Street, which he consented to. I also understand that if he is answering that satisfactorily to my inquiry, I see no objection, unless he is somehow demeaning the House, and the Speaker cut him off, and I was perfectly satisfied. That is disrupting my inquiry. I would just like to ask if Mr. Street can continue uninterrupted as long as I am satisfied?

The SPEAKER. The Chair is unable to understand what the gentleman, Mr. Williams, is trying to raise as a point of parliamentary inquiry.

Mr. WILLIAMS. Mr. Speaker, my parliamentary inquiry is very simply: Is it not a fact that I have the floor? Is it not a fact?

The SPEAKER. May the Chair respond to one question at a time?

The answer is, "no."

Mr. WILLIAMS. Mr. Speaker, is it not true that I have asked an inquiry of Mr. Street that he consented to give?

The SPEAKER. The Chair has recognized the gentleman from Philadelphia, Mr. Street, to explain the amendment that the gentleman has offered.

Mr. WILLIAMS. Now, Mr. Speaker, my last point of inquiry is that is it not true that when one interrogator is asking another member and that answer is responsive to the

interrogation as far as the interrogator is concerned, there is no standing for you, the Speaker, to interrupt and to object unless it somehow violates the rules of the House. Now is not that the case?

The SPEAKER. The Chair, under the rules of this House, is responsible for maintaining the decorum of this House and the Chair intends to do that unless overruled by a majority of the members of this House.

The gentleman, Mr. Williams, is out of order. The Chair so rules.

The Chair now recognizes the gentleman from Philadelphia, Mr. Street, to explain his amendment.

Mr. WILLIAMS. Mr. Speaker, point of parliamentary inquiry.

The SPEAKER. The gentleman is out of order and will take his seat.

Mr. WILLIAMS. Mr. Speaker, point of order. Am I out of order for asking for a parliamentary inquiry or a point of order? I have never heard of anything like that.

The SPEAKER. The Chair has ruled that the gentleman, Mr. Williams, is out of order.

Mr. WILLIAMS. Mr. Speaker, I am asking you what for and under what rule?

The SPEAKER. The gentleman has a right of appeal of the ruling of the Chair.

Mr. WILLIAMS. Mr. Speaker, I have a right also to have the Speaker intelligently tell me—

The SPEAKER. The Chair has ruled the gentleman out of order.

Mr. WILLIAMS. Mr. Speaker, I ask you what for? Mr. Speaker, I ask you under what rule and what for, because I simply ask a point of parliamentary inquiry?

The SPEAKER. The rulings of the Chair are not debatable, but a member always has the right to appeal the ruling of the Chair.

Mr. WILLIAMS. Mr. Speaker, I do not want to debate it. I merely want to know what you are talking about.

The SPEAKER. The gentleman has two recourses, either appeal or to sit down.

Mr. WILLIAMS. Mr. Speaker, I have told you that I will not sit down. Mr. Speaker, I am merely asking you a point of inquiry.

The SPEAKER. Will the public address system operator please turn off the microphone to the gentleman, Mr. Williams?

The Chair recognizes Mr. Street to explain his amendment.

AMENDMENT WITHDRAWN

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

Mr. STREET. Mr. Speaker, I have noticed on this amendment, in all fairness to the members of the House of Representatives, that there is a line missing. While I may understand the amendment, to read it the way it is presently printed would not make a lot of sense to those of us who are in the House, unless, of course, we would have done our research and we would have understood all of the job

available programs before we attempted to implement a bill like HB 2044. So with that, I will withdraw the amendment permanently, if you please.

MOTION TO RECOMMIT

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I said yesterday and I repeat today, we are not going to resolve this particular bill's problems on the floor of this House. There is a torrent of amendments yet to come. Sitting here for hour after hour listening to the debate is not going to resolve the problem.

I think every single Representative on this floor agrees that the Commonwealth ought not to be supporting those people who are capable of supporting themselves. I do not think that is an argument. The argument is, how do you determine who is capable of supporting himself or herself and who is not? Now I maintain that there are areas of compromise available on this particular piece of legislation. I think that one of those areas of compromise is a matter of instigating a training program. I think some of the money that is to be saved ought to be diverted into such a training program, but we are not going to reach that decision on the floor of this House. Or we may eventually pass the bill, but it will not be the bill which will see the light of day. I therefore am moving again to recommit to the Committee on Health and Welfare this particular piece of legislation for the specific purpose of attempting to find a reasonable compromise to resolve the problems which this bill addresses itself to. I so move, Mr. Speaker.

The SPEAKER. It has been moved by the minority leader, Mr. Irvis, that HB 2044 and the amendments be recommitted to the Committee on Health and Welfare. The question is on the motion.

The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I would oppose the motion of Mr. Irvis for the following reasons: First, I do not believe and I do not think there is anybody on the floor of this House today who believes that taking this bill back into committee is going to solve any problems. Mr. Street is going to have those same 200 or 300 amendments sitting here over your head like a hammer, and when the bill comes out of committee, no matter what amendments are inserted, if any, in committee, we are going to go through this same charade.

Now, Mr. Irvis and I have been around these halls for many years, and we have seen matters worked out. I happen to believe that if there is an opportunity to work out HB 2044, it can just as easily be accomplished sitting on this bench in the front of the House as sending it back into a committee. Everyone here knows what, if any, difficulties there are with the bill; and everyone here knows that if it can be worked out, it can be worked out in the back room. Sorry about that. It can be worked out right behind the House chamber where we can sit down and try and work out differences. Sending it back into committee is nothing—and I am not really attacking the motives of Mr. Irvis—is nothing but a delaying tactic.

We are going to do HB 2044. You have an opportunity to offer your amendments. I say to you, offer them. Let us not turn Mr. Street's street sense into Sesame Street, and that, I am afraid, is what is taking place on this floor. We need less time on parliamentary maneuvering and more time on the substance of these amendments. Offer your amendments and let us get on with it. We are going to stay here until we accomplish the passage or defeat of HB 2044, so let us get on with it.

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

Mr. WHITE. On the recommittal motion.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the majority leader. For what purpose does the gentleman rise?

Mr. RYAN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RYAN. Is the motion to recommit debatable?

The SPEAKER. The motion to recommit is debatable on the reasons for recommittal. So with that in mind, the Chair recognizes Mr. White.

Mr. WHITE. Mr. Speaker, I support the recommittal motion as offered by the minority leader, Mr. Irvis. And I wish to take exception to the rationale that the majority leader, Mr. Ryan, has offered as to why we should not recommit the bill.

First of all, if there is a charade and if there is a mimicking of Sesame Street taking place in this House, it comes because there are certain members of this House who, when this bill was proposed and introduced into committee, refused to discuss the substance of the matter; refused to listen to any type of reasonable, rational discussion, even about typographical errors, even about changing words from shall to may as it affects the thousands of people in this state who will come under the provisions of HB 2044.

I have only been in this chamber for a little more than 3 years now, but I cannot recall any time where there has been an attempt to literally strangle, smother any type of constructive criticism amendments to any legislation on the floor of this House. I personally object to the tactics that were used to even bring this bill out of committee. We voted on the recommittal motion yesterday, and it was stated then and I will state it again, there was no discussion of this bill. There was no consideration of amendments.

You talk about making decisions in the back room; the purpose of this General Assembly is to make decisions on the floor of this House, and through the provisions of this House which would include the committees. I would hope, Mr. Speaker, that once this bill is recommitted, the Health and Welfare Committee would take the necessary time to examine the amendments that have been proposed, because those amendments, many of them, have been substantive and have been amendments that would help to clean up what has been described as a welfare mess.

Once again, I would urge our colleagues to vote in favor of recommitment. Thank you, Mr. Speaker.

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

Mr. EARLEY. Mr. Speaker, I rise in support of the motion to recommit HB 2044 for the following reasons: The debate that has taken place over the past couple of days with respect to HB 2044 demonstrates the need for serious and careful consideration of that bill by an appropriate committee. The development of the committee system was designed to do just that: to examine all of the ramifications of a proposed piece of legislation, to look at those ramifications, and attempt to come out with the best piece of legislation possible. It was not possible for that to be accomplished with HB 2044, because it was introduced on one day, referred to committee on one day, and came out of committee on the same day and it was here on the floor on the very same day, and within 2 days of introduction, it was on this table for third reading.

Now, Mr. Speaker, it has been alleged that there was no necessity for hearings on HB 2044 because hearings were held with respect to welfare reform last summer and the various questions that were brought up apply to HB 2044. I submit that that is not so.

The bill on which hearings were held last year was the workfare bill that dealt only with one question, and that is whether or not persons who were receiving welfare benefits and were able-bodied and wanted to continue to receive welfare benefits, whether or not they would be assigned work by the state in order to continue to qualify for welfare benefits. That is the only question that was before any committee hearings at that time.

Now, we have here a bill that does not address itself to the question of working to earn welfare benefits, but addresses itself to removing some 81,000 allegedly able-bodied persons from the rolls because they do not meet certain various strict criteria that have been set forth in this proposed legislation.

I have noticed throughout this debate a systematic exclusion of any suggestions of improving this bill by providing some kinds of means to provide for those people who will be dislodged by HB 2044. Any proposal that is directed, that has been directed at making job opportunities available—not finding jobs but making job opportunities available—has been knocked down as being inconsistent with the purpose of HB 2044. There are phrases and terminology within HB 2044 that have been attempted to be defined, and those definitions that have been offered have been knocked down.

It appears to me that in order to avoid the continued wrangle over the meaning of words, phrases, over the impact, over the legislative intent, the only logical thing to do, the only reasonable thing to do, the only significant thing to do would be to recommit this bill to the appropriate committee and have that committee treat this bill as any other serious piece of legislation such as we have here. I support this motion for recommitment and ask the rest of this legislature to do so. Thank you.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I think my reputation on this floor is such as to sustain the fact that I do not gleefully join in battle. I do not enjoy seeing blood running in the gutters. I think a parliamentary body ought to be just that. I have listened to the change in tone of the debate from yesterday until this afternoon. The debate grows more personal, more acrimonious, and further from reality as the hours go on.

I concur with the majority leader. He is an experienced and good leader. If there were any possibility of an immediate solution, it could be reached on the bench here in the front of the hall of the House. I do not see an immediate solution, but I think there is the possibility of a solution. The seeds of that possibility have been sown here on the floor of the House. There have been amendments offered, rejected, but I think on rethinking them, the committee may very well accept some of those amendments and make it possible for those who have opposed this bill to agree to it as amended. I do not think it is inevitable that we shall have a torrent of amendments regardless of what the bill says.

Again, I am urging, for the reasons of sanity on the floor of this House—I understand ego, and I understand pride, and I understand anger—but I think it is time to remove this debate from the floor of this House, put it back into committee with a smaller number, and see if we can resolve some of the differences which exist between us and I urge that you support the motion to recommit.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. I oppose the motion.

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

The following roll call was recorded:

YEAS—83

Austin	Gatski	McMonagle	Ritter
Barber	George, C.	Manderino	Rodgers
Beloff	George, M. H.	Michlovic	Schmitt
Bennett	Goodman	Milanovich	Schweder
Borski	Grabowski	Mrkonic	Seventy
Cappabianca	Greenfield	Mullen	Shupnik
Chess	Harper	Murphy	Steighner
Clark, B. D.	Hoeffel	Musto	Stewart
Cochran	Hutchinson, A.	Novak	Street
Cohen	Irvis	O'Brien, B. F.	Stuban
Cole	Itkin	O'Donnell	Sweet
Cowell	Jones	Oliver	Taylor, F.
DeMedio	Knight	Petrarca	Trello
DeWeese	Kolter	Pievsky	Wachob
Dawida	Kukovich	Pistella	Wargo
Dombrowski	Laughlin	Pucciarelli	White
Duffy	Letterman	Rappaport	Wright, D. R.
Dumas	Levin	Reed	Yahner
Earley	Livengood	Rhodes	Zeller
Fee	McCall	Richardson	Zitterman
Gamble	McIntyre	Rieger	

NAYS—94

Anderson	Foster, Jr., A.	Lynch, E. R.	Scheaffer
Arty	Fryer	McClatchy	Serafini
Belardi	Gallen	McKelvey	Sieminski
Bittle	Gannon	McVerry	Sirianni

Bowser	Geesey	Mackowski	Smith, E. H.
Brandt	Geist	Manmiller	Smith, L. E.
Brown	Gladeck	Micozzie	Spencer
Burd	Goebel	Miller	Spitz
Burns	Grieco	Moehlmann	Stairs
Caltagirone	Gruppo	Mowery	Swift
Cessar	Halverson	Nahill	Taylor, E. Z.
Cimini	Hasay	Noye	Telek
Clark, M. R.	Hayes, Jr., S.	O'Brien, D. M.	Thomas
Cornell	Helfrick	Perzel	Vroon
Coslett	Honaman	Peterson	Wass
Cunningham	Hutchinson, W.	Piccola	Wenger
DeVerter	Johnson, E. G.	Pitts	Wilson
Davies	Kanuck	Polite	Wilt
Dietz	Klingaman	Pott	Wright, Jr., J.
Dorr	Knepper	Punt	Yohn
Durham	Kowalshyn	Pyles	Zord
Fischer	Lashinger	Rocks	
Fisher	Lehr	Ryan	Seitzer,
Foster, W. W.	Levi	Salvatore	Speaker

NOT VOTING—19

Alden	Freind	Johnson, J. J.	Taddonio
Armstrong	Gallagher	Lewis	Weidner
Berson	Giammarco	Madigan	Williams
DiCarlo	Gray	Pratt	Zwick
Dininni	Hayes, D. S.	Shadding	

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

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

Mr. GOEBEL. Mr. Speaker, I would like to make that motion, if you feel it would be in order at this time. If not, then I would wait for your—

The SPEAKER. The Chair would suggest that the gentleman would yield. Will the gentleman come to the desk?

Does the gentleman, Mr. Street, have an additional amendment to offer?

Mr. STREET. Yes, I do.

The SPEAKER. The gentleman will send his amendment to the desk.

On the question recurring,

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

Mr. STREET offered the following amendment:

Amend Sec. 1 (Sec. 432), page 2, by inserting between lines 27 and 28 (G) A person who has been a registrant of the Pennsylvania Bureau of Employment Security for six consecutive months and for whom the Pennsylvania Bureau of Employment Security did not offer employment which lasted longer than ninety consecutive days.

On the question,

Will the House agree to the amendment?

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

Mr. STREET. Mr. Speaker, this amendment, I think, is a very serious amendment. A person who is a veteran of one branch of the military service and who, since his discharge from service, has not been able to retain employment for more than 12 months due to military—

That is the amendment I gave him. We can go to 5477.

The SPEAKER. The amendment before the House is 5477.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. The Chair recognizes the lady from Chester, Mrs. Taylor.

Mrs. TAYLOR. I rise to a question of personal privilege.

The SPEAKER. The lady will state it.

Mrs. TAYLOR. It might be well for everyone to be cognizant of not only the substance of the amendments that are being drawn to this bill, but that they also be cognizant as to the cost of the amendments that are being drawn. I would like to read into the record, Mr. Speaker, that I have done an analysis and I would like to read, for the members, exactly what it costs for an individual to put an amendment on the floor of this House.

I have taken four categories: The lawyers, the amendment clerk, the page and the duplicating personnel. We have taken an average salary for each of these personnel and we have found that for each one of these it is costing \$27.46.

The SPEAKER. Will the lady yield?

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. Mr. Speaker, what is the parliamentary procedure for one standing on the floor to receive notice to speak on a personal privilege?

The SPEAKER. The Chair was unable to understand the gentleman's question. Will the gentleman—

Mr. RICHARDSON. My point of order, Mr. Speaker, is what is the proper procedure of this House to receive, from the Chair, orders to speak on a point of personal privilege?

The SPEAKER. The gentleman is correct. She was not speaking on a point of personal privilege. She had asked unanimous consent to make a brief statement. Is the gentleman, Mr. Richardson, withdrawing his unanimous consent?

The Chair will ask the lady to be seated and the Chair will recognize her at a later time to complete her remarks.

Has the gentleman, Mr. Street, found his amendment?

Mr. STREET. Yes, I am ready.

This amendment is up on the board, A5477, and what this amendment goes to is the very basis that we have used, the Bureau of Employment Security. We have used that as the basis to draw up HB 2044, and this amendment says, "A person who has been registrant of the Pennsylvania Bureau of Employment Security for six consecutive months and for whom Pennsylvania Bureau of Employment Security did not offer...."—not find, but did not offer—"... employment which lasted longer than ninety consecutive

days." All right? Now, let me explain that, because I am sure that there are a number of us here who do not have the figures in terms of the Bureau of Employment Security.

We have stated; Mr. Punt has stated over and over and over on the floor of this House, that there are 64,000 jobs available by BES. The present law is, legislators, and this is very important, although I know that you are not listening, but I am going to say it anyhow. It is very important that existing law states—that if a GA recipient is receiving welfare and is offered a job through the Pennsylvania Bureau of Employment Security, that they no longer qualify for welfare. So what I am saying to you is that we have 64,000—and I have them all broken down into the categories—allegedly. If these jobs are available, and if we have 64,000 jobs available and 80,000 people on welfare, then it just seems like to me that we have a lot of people on welfare now who are on in violation of existing law, because we do not enforce the law.

Now, if there is a person who is on welfare and they have looked for a job, and they have been offered a job, but when they got there, the job did not last for more than 2 or 3 months, then that person should not be labeled a lazy, shiftless, no-good, tax leech and should be permitted to remain on the GA rolls, because that individual has met all of the obligations as put before them by the Bureau of Employment Security.

I would like to ask the prime sponsor of the bill, does he have any research before him that would substantiate that the Bureau of Employment Security does, in fact, have 64,000 jobs; and have they, in fact, sent people out on jobs, if the prime sponsor will stand for a brief interrogation? Mr. Speaker, will the prime sponsor stand for a brief interrogation?

The SPEAKER. The gentleman, Mr. Street, is the sponsor of the amendment. Does the gentleman hope to interrogate himself?

Mr. STREET. Mr. Speaker, I have gone to the Health and Welfare Committee to get information that was not available because they run this bill through so rapidly. Now I have no other means of getting information from the prime sponsor but to do it on the floor of this House, and I am asking the prime sponsor for information that is not available by the committee in which this bill came out of. I think that it is my right to have information. If he has conceded that the information does not matter because you are going to vote one way anyhow, why not just tell us that? Why do you not just say that it does not matter what the facts say? Why do you just say it does not matter what you can bring out? Why do you just say that it does not matter? The only thing that matters is the fact that Governor Thornburgh told me to put this in, and I am going to put it in for political reasons, and nothing else matters. Why not just say that? Why does not somebody just stand up and tell me that?

Mr. Speaker, I would like to get information from the gentleman, Mr. Punt.

The SPEAKER. The gentleman indicates that he has no information.

Mr. STREET. He has no information? He has no information on the Bureau of Employment.

Mr. Speaker, I do not see how in good conscience, we can move this bill forward based on information from the Bureau of Employment Security that cannot be substantiated, and I have tried to get the information. I have searched diligently for the information; I personally went to Mr. Pocila's office to get the information; I personally went to Senice's office and asked him for the information. I have worked diligently to get the information that I have been not able to get, and I would ask the prime sponsor of this bill, who has used the Bureau of Employment Security as a basis for this piece of legislation, to at least give me some justifiable figures to show that there is a need to take these people off welfare. If the legislative process is of such where we pass legislation without information, Mr. Speaker, then do so. But what I am saying is, I want the information from the Bureau of Employment Security from Mr. Punt, the prime sponsor. I need information, and apparently I am not going to get that information and apparently you have worked out an arrangement where Mr. Goebel, at your clue, will get up and do something that deals with the rules to cut off debate. That is very clear.

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. Mr. Speaker, I wish you would tell whoever is running this microphone to turn on my microphone when I stand at the microphone. No member is supposed to be denied the right to have his microphone turned on, first thing.

My point of order, Mr. Speaker, is dealing specifically with what the rules contain in that when a member does not respond to a point of order specifically dealing with interrogating another member on this floor, and I would like to know what is the ruling of the Chair, since you ordered that Mr. Punt does not have to answer?

The SPEAKER. The gentleman, Mr. Punt, indicated he did not have the information, and you cannot get blood out of a turnip.

Mr. RICHARDSON. Mr. Punt did not speak into that microphone and say one word when the gentleman asked could he interrogate him. You said that, Mr. Speaker, not Mr. Punt. You can fool some of the people some of the time, but you cannot fool all the people all of the time.

Mrs. TAYLOR. Maybe I should continue. Mr. Speaker, would it be proper—

The SPEAKER. Will the lady yield?

In response to the inquiry by the gentleman from Philadelphia, Mr. Richardson, the rules of this House are silent on the question of whether or not a member must

respond to an interrogation, and, therefore, there is nothing in the rules to prescribe a member must respond.

The Chair further researched into Mason's Manual, one of the parliamentary authorities to this House, and the Chair reads: "The member may consent or decline."

Mr. RICHARDSON. He did neither, Mr. Speaker, and I asked what is the rule of this House.

The SPEAKER. The Chair has responded to the gentleman's inquiry.

Mr. RICHARDSON. The Chair has not, Mr. Speaker. I would like to know when did the gentleman decline or consent? He never did at that microphone. Ask them to read it back from the record. Ask that it be read back.

The SPEAKER. The gentleman will please take his seat.

Mr. RICHARDSON. I ask, Mr. Speaker, that it be read back to prove that this gentleman, Mr. Punt, never said one word at that microphone on the inquiry made by Mr. Street.

The SPEAKER. Will the gentleman, Mr. Punt, consent to stand at the microphone and respond to the gentleman's question as he responded to the question of the Chair?

The Chair recognizes Mr. Punt.

Mr. PUNT. Yes, Mr. Speaker. I do not have that information.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Street, to debate his amendment.

Mr. STREET. Well, then, I would like to ask Mr. Punt how he put the bill together. I would like to know how he drafted the bill if he does not have the information. On what basis was the bill put together?

The SPEAKER. It is not a proper question, because there is no answer to that question.

QUESTION OF PERSONAL PRIVILEGE

Mr. STREET. There is no answer as to how the bill was put together, Mr. Speaker?

Mr. Speaker, may I ask a question of personal privilege?

The SPEAKER. The gentleman will state it.

Mr. STREET. Mr. Speaker, am I to understand that because we have, in an effort to seek information, taken the rules and used those rules within the right that those rules permit us before this House, are now going to be denied information by a tactic that is used that is nonresponsive to the information being sought? Am I to understand that? Is that the understanding that that is what is happening here? If so, tell me.

The SPEAKER. The Chair has not observed any violation of any rule that a member of this House must know the answers to all questions that are posed by other members. Does the gentleman wish to debate his amendment? The gentleman is in order and may continue.

Mr. STREET. Mr. Speaker, I am going to interrogate myself, like you suggested.

The SPEAKER. If the gentleman has the answers to his questions, the House will be pleased to hear.

Mr. STREET. Mr. Street, on what basis was this bill put together?

Well, Mr. Street, we got the Bureau of Employment Security—

The SPEAKER. The question before the House is the gentleman's amendment. Will he please confine his interrogation to the amendment?

Mr. STREET. The amendment, Mr. Speaker, says, "A person—let me read the amendment so that the Speaker is clear—who has been a registrant of the Pennsylvania Bureau of Employment Security...."—that, in parentheses, is BES - Pennsylvania Bureau of Employment Security—"...for six consecutive months and for whom the Pennsylvania Bureau of Employment Security did not offer employment which lasted longer than ninety consecutive days."

Now, may I continue my interrogation of Mr. Street?

The SPEAKER. The Chair's impression is, and he listened diligently, the gentleman did not ask a question. The gentleman only reread the amendment he had offered. The gentleman will please confine his remarks to the question before the House.

Mr. STREET. Mr. Speaker, if I may, I reread my amendment so that you could understand the basis of my interrogation of Mr. Street, and it is based on the Bureau of Employment Security.

The SPEAKER. The Chair has indicated to the gentleman that he had not posed a question to himself. All that he did was reread the amendment that he offered.

Has the gentleman completed his interrogation?

Mr. STREET. No, I have not completed it.

The SPEAKER. Has the gentleman completed his explanation of the amendment?

Mr. STREET. No, I have not completed it.

The SPEAKER. The gentleman may proceed.

Mr. STREET. Mr. Speaker. Yes.

How many people, at this point, are a part of the Pennsylvania Bureau of Employment Security?

Well, in 1979, the Pennsylvania Bureau of Employment Security received in the Philadelphia area, Mr. Street, some 2,000 applications from welfare, GA recipients.

Well, Mr. Speaker, how many of those 2,000 applications from GA recipients did the Pennsylvania Bureau of Employment Security send out?

Well, let me explain. From January 1979 to January 1980, the Pennsylvania Bureau of Employment Security placed less than 22.3 percent of the total number of applicants.

Well, Mr. Speaker, how many, in figures, of that 2,000 figure were unskilled?

Well, of that figure there were approximately 98 percent of the GA applicants who were unskilled or at the entry level.

Well, Mr. Speaker, if 98 percent of those people who were unskilled or at the entry level were not placed, then what happened to those people?

Well, those people are still registered with the Bureau of Employment Security.

Well, Mr. Street, would it be reasonable—

The SPEAKER. The Chair was unable to hear the last question.

Mr. STREET. The gentleman, Mr. Street, will repeat the last question for the Chair. The question is, Mr. Street, how many of the 2,000 people who fell within the unskilled category, and who made application over a year ago, still remain on the general assistance rolls but have not been able to find a job, or whom the Pennsylvania Bureau of Employment Security has not placed?

Well, Mr. Speaker, let me respond to that.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the lady from Chester, Mrs. Taylor. For what purpose does the lady rise?

Mrs. TAYLOR. I rise to a parliamentary inquiry.

The SPEAKER. The lady will state it.

Mrs. TAYLOR. Two things: First of all, Mr. Speaker, is this not below the dignity of this House to continue this kind of presentation? And, secondly, I would like to ask whether or not this could not be considered filibustering? I thought we had a rule against filibustering.

The SPEAKER. The Chair would not like to be put into a position to make judgment on whether or not a member's presentation is out of order at this time. I would hope that the gentleman, Mr. Street, will conclude his response as quickly as possible.

Mrs. TAYLOR. Maybe the House would like to make that judgment.

The SPEAKER. The Chair would hope that the time will come when the House will make the judgment rather than the Chair.

QUESTION OF PERSONAL PRIVILEGE

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

Mr. STREET. I would like to speak to a point of personal privilege in response to the lady.

The SPEAKER. The gentleman is out of order. The gentleman may complete his answer to the question that he posed.

Mr. STREET. A point of personal privilege in response to the lady.

The SPEAKER. The Chair has ruled that the gentleman may proceed.

Mr. STREET. I appeal the ruling of the Chair.

The SPEAKER. The gentleman wins. Sit down.

The Chair recognizes the majority leader.

Mr. RYAN. All right, the gentleman wins; he cannot proceed.

The SPEAKER. The gentleman is correct.

Mr. STREET. I am not finished interrogating Mr. Street.

The SPEAKER. The gentleman just took himself out of the ballpark by appealing the ruling.

Mr. STREET. No, I did not. You did not understand what I appealed.

The SPEAKER. The Chair very well understood what he thought he said. The gentleman may respond to his final question.

Mr. STREET. My final question?

The SPEAKER. The gentleman indicated to the House that this was his final question, and I would hope the gentleman would not go back on his word. He never has before. Has the gentleman completed his response to the question?

Mr. STREET. I have completed my response.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—53

Austin	Gallagher	McMonagle	Reed
Barber	Gatski	Manderino	Rhodes
Cappabianca	Harper	Michlovic	Richardson
Chess	Hoefel	Milanovich	Rieger
Clark, B. D.	Hutchinson, A.	Mrkonic	Rodgers
Cochran	Irvis	Mullen	Stewart
Cohen	Itkin	Murphy	Street
DeWeese	Jones	Musto	Sweet
Dawida	Knight	Novak	Taylor, F.
Dombrowski	Kolter	O'Donnell	Trello
Duffy	Kukovich	Oliver	Wachob
Dumas	McCall	Pievsky	White
Earley	McIntyre	Pucciarelli	Williams
Fryer			

NAYS—122

Anderson	Gamble	McClatchy	Shupnik
Arty	Gannon	McKelvey	Sieminski
Belardi	Geesey	McVerry	Sirianni
Bennett	Geist	Mackowski	Smith, E. H.
Bittle	George, C.	Manmiller	Smith, L. E.
Borski	George, M. H.	Micozzie	Spencer
Bowser	Gladeck	Miller	Spitz
Brandt	Goebel	Moehlmann	Stairs
Brown	Goodman	Mowery	Steighner
Burd	Grabowski	Nahill	Suban
Burns	Greenfield	Noye	Swift
Caltagirone	Grieco	O'Brien, B. F.	Taddonio
Cessar	Gruppo	O'Brien, D. M.	Taylor, E. Z.
Cimini	Halverson	Perzel	Telek
Clark, M. R.	Hasay	Peterson	Thomas
Cole	Hayes, Jr., S.	Piccola	Vroon
Cornell	Helfrick	Pistella	Wargo
Coslett	Honaman	Pitts	Wass
Cowell	Hutchinson, W.	Polite	Wenger
Cunningham	Johnson, E. G.	Pott	Wilson
DeMedio	Kanuck	Punt	Wilt
DeVerter	Klingaman	Pyles	Wright, D. R.
Davies	Knepper	Ritter	Wright, Jr., J.
Dietz	Kowalyshyn	Rocks	Yahner
Dorr	Lashinger	Ryan	Yohn
Durham	Laughlin	Salvatore	Zeller
Fee	Lehr	Scheaffer	Zitterman
Fischer	Letterman	Schmitt	Zord
Fisher	Levi	Schweder	
Foster, W. W.	Livengood	Serafini	Seltzer,
Gallen	Lynch, E. R.	Seventy	Speaker

NOT VOTING—21

Alden	Foster, Jr., A.	Johnson, J. J.	Pratt
Armstrong	Freind	Levin	Rappaport
Beloff	Giammarco	Lewis	Shadding
Berson	Gray	Madigan	Weidner
DiCarlo	Hayes, D. S.	Petrarca	Zwilk
Dininni			

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

WELCOMES

The SPEAKER. The Chair welcomes to the balcony 21 members of the Industrial Management Club from Mifflin County and their president, Leo Veneskey. They are here today as the guests of Mr. DeVerter.

The Chair welcomes to the front of the House a former member of this House from Delaware County, Ed Jones.

QUESTION OF PERSONAL PRIVILEGE

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

Mr. STREET. I rise to a question of personal privilege. I would like to speak to a question of personal privilege, if it is in order, in response to the young lady's remarks.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. STREET. Mr. Speaker, I think that when there is a member of the House who is legitimately seeking information and we have information that we brought to the attention of this House that contradicts the budget, that contradicts other things, that contradicts what is said in HB 2044, and yet people sit over there and vote without even giving consideration to the information, and then I am accused, because the prime sponsor refuses to give information, and—

The SPEAKER. The prime sponsor of the legislation did not refuse. The prime sponsor indicated he did not have the information. The gentleman may proceed.

Mr. STREET. The prime sponsor lied, because he was in Philadelphia and he gave the information that I was seeking in Philadelphia at a forum in which the prime sponsor and I participated in, and I wanted to bring that out on behalf of the rest of the members of this body so that the prime sponsor could give the basis of the information. Now Mr. Punt sat there and said he did not have the information when he knows as well as I do that he has the information, because we talked about the information, and it is not consistent with the basis of this bill. And nothing is below the dignity of this House more than us sitting here voting and affecting all these people's lives, without correct and accurate information. And then when I am told, because the prime sponsor refuses to give me the information, that my response to the Speaker who asked me if I was interested in interrogating myself, was below the dignity of the House—

The SPEAKER. The Chair thanks the gentleman for helping the Chair uphold the dignity of the House.

Mr. STREET. How are you going to thank me before I finish?

The SPEAKER. The gentleman is out of order. Does the gentleman have another amendment to offer? The gentleman is not making a point of personal privilege. The

gentleman is making a speech. Does the gentleman wish to offer another amendment?

Mr. STREET. May I finish my question of personal privilege?

The SPEAKER. The gentleman never got to a point of personal privilege.

Mr. STREET. Am I out of order?

The SPEAKER. Yes.

RULING OF CHAIR APPEALED

Mr. STREET. I appeal the ruling of the Chair.

Mrs. TAYLOR. Is it my turn yet?

The SPEAKER. The lady will yield.

The Chair has ruled the gentleman from Philadelphia, Mr. Street, out of order. The gentleman, Mr. Street, has appealed the ruling of the Chair.

The Chair reads from Rule 13:

If any member in speaking or otherwise transgresses the Rules of the House, the Speaker or any member through the Speaker shall call him to order, in which case he shall immediately sit down unless permitted by the House to explain.

The House upon appeal shall decide the case without debate. If the decision is in favor of the member, he may proceed. If the case requires it, he shall be liable to censure or other punishment as the House deems proper.

The question is, will the House sustain the decision of the Chair? Those voting in the affirmative vote to sustain the decision of the Chair; those voting "no" vote to overrule the decision of the Chair.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the minority whip. For what purpose does the gentleman rise?

Mr. MANDERINO. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MANDERINO. It is my understanding that the Chair has ruled the gentleman out of order, is that correct?

The SPEAKER. That is correct.

Mr. MANDERINO. For the transgression of which House rule?

The SPEAKER. The gentleman was recognized by the Chair to make a question of personal privilege. The gentleman declined to do that and was making a speech without the unanimous consent of the House on a subject other than what was before the House.

Mr. MANDERINO. Thank you, Mr. Speaker.

The SPEAKER. The question is on the motion. Those voting to sustain the ruling of the Chair will vote "aye"; those opposed will vote "no."

The following roll call was recorded:

YEAS—110

Anderson	Fisher	Lynch, E. R.	Salvatore
Arty	Foster, W. W.	McClatchy	Schaeffer
Belardi	Foster, Jr., A.	McKelvey	Serafini
Bittle	Gallen	McMonagle	Sieminski
Borski	Gamble	McVerry	Sirianni

Bowser	Gannon	Mackowski	Smith, E. H.
Brandt	Geesey	Manmiller	Smith, L. E.
Brown	Geist	Michlovic	Spencer
Burd	George, C.	Micozzie	Spitz
Burns	Gladeck	Miller	Stairs
Caltagirone	Goebel	Moehlmann	Stewart
Cessar	Grabowski	Mowery	Swift
Cimini	Grieco	Murphy	Taddonio
Clark, M. R.	Gruppo	Nahill	Taylor, E. Z.
Cochran	Halverson	Noye	Telek
Cornell	Hasay	O'Brien, B. F.	Thomas
Coslett	Hayes, Jr., S.	O'Brien, D. M.	Vroon
Cowell	Helfrick	Perzel	Wass
Cunningham	Hoefel	Piccola	Wenger
DeVerter	Honaman	Pitts	Wilson
Davies	Hutchinson, W.	Polite	Wilt
Dietz	Johnson, E. G.	Pott	Wright, D. R.
Dorr	Kanuck	Punt	Wright, Jr., J.
Duffy	Klingaman	Pyles	Yahner
Durham	Knepper	Ritter	Yohn
Earley	Lashinger	Rocks	Zeller
Fee	Lehr	Ryan	Zord
Fischer	Levi		

NAYS—52

Bennett	Greenfield	Milanovich	Schmitt
Cappabianca	Harper	Mrkonic	Schweder
Chess	Irvic	Mullen	Shupnik
Clark, B. D.	Itkin	Musto	Steighner
Cohen	Jones	Novak	Street
Cole	Knight	Oliver	Stuban
DiCarlo	Kowalshyn	Petrarca	Sweet
Dombrowski	Kukovich	Pievsky	Taylor, F.
Fryer	Laughlin	Pistella	Trello
Gallagher	Letterman	Pucciarelli	Wachob
Gatski	Levin	Rappaport	Wargo
George, M. H.	Livengood	Reed	White
Goodman	Manderino	Richardson	Zitterman

NOT VOTING—34

Alden	Dininni	Lewis	Rodgers
Armstrong	Dumas	McCall	Seventy
Austin	Freind	McIntyre	Shadding
Barber	Giammarco	Madigan	Weidner
Beloff	Gray	O'Donnell	Williams
Berson	Hayes, D. S.	Peterson	Zwikl
DeMedio	Hutchinson, A.	Pratt	
DeWeese	Johnson, J. J.	Rhodes	Seltzer,
Dawida	Kolter	Rieger	Speaker

The majority having voted in the affirmative, the question was determined in the affirmative and the ruling of the Chair was sustained.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, it is progressing precisely as I predicted. It becomes more and more acrimonious; further and further removed from reality.

Mr. Speaker, with the indulgence of the House, I believe there may have been an error on the part of the Chair. When the Chair ruled in the matter of Mr. Hardy Williams being out of order and ordered the gentleman to be seated, the question arises in my mind as to what rule Mr. Williams transgressed. Now I have been where the Chair is, so I understand some of the problems that the Chair has in keeping order and decorum on the floor of the House, and this is not an ad hominem attack whatsoever. But I would point out to the Chair that under rule 13, the Speaker or any member speaking through the Speaker may call to

order a member who has transgressed the rules of the House. As I recall it, the gentleman Mr. Williams queried the Chair as to what rule he had transgressed; and as I recall it, the Chair never so informed him. Now if in fact the gentleman, Mr. Williams, had transgressed no rule of the House, then I would submit to the Chair that the Chair did not have the privilege of ordering him to step away from the microphone.

I would suggest during this hiatus, when it is relatively calm, that the Chair recognize the gentleman, Mr. Hardy Williams, on the point of personal privilege that he feels he has a right to rise to, and, perhaps, we may calmly settle this particular parliamentary situation. I thank the Chair.

The SPEAKER. When the Chair ruled the gentleman from Philadelphia, Mr. Williams, out of order, the Chair, at the time, indicated to Mr. Williams that he had an opportunity to appeal the ruling of the Chair. The gentleman did not take advantage of what the Chair had suggested. Mr. Irvis, the minority leader, now raises the question again, and the Chair will again give an opportunity to Mr. Williams to raise a point of personal privilege.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER. The Chair recognizes the gentleman, Mr. Williams, for that purpose.

Mr. WILLIAMS. Mr. Speaker, I hope I could get the attention of the House for a few minutes. I rise under rule 12 which says, "Personal Privilege." It reads: "Any member may by leave of the Speaker rise and explain a matter personal to himself,...." It also says: "Questions of personal privilege shall be limited to questions affecting the rights, reputation and conduct of members of the House in their respective capacities."

Mr. Speaker, I submit—Mr. Speaker, I would like to have a little order so that I can hear what I think is very important not only to me but to each and every member of the House.

The SPEAKER. The gentleman is speaking under a point of personal privilege, and the Chair would ask the members to please take their seats. Hang up your telephones. The gentleman may proceed.

Mr. WILLIAMS. Mr. Speaker, it affects my rights, it affects my conduct, it affects my reputation, that the Speaker, I submit, without authority, asked me to sit down, number one, and, number two, gave me the option of appeal. The rule clearly says that when a rule is violated, or apparently so, then the Speaker can and should take some action. But it is also a clear right and responsibility for the Chair to indicate to that member—in this case me—as you did in the case of Mr. Street, to tell me what rule that is. I suggest to the Speaker that there could not be an appeal unless there was a specific issue framed. And that, indeed, it would be ludicrous to have an appeal and have a question framed only when the Speaker decided to frame the question which was in his mind and not in the mind of the person affected or the House before such an appeal.

Mr. Speaker, I further suggest to the Speaker that the rule, rule 13, calls for when anybody, anybody in this House is called out of order, it says that person should sit down. Of course, we do not know that it happens. The Speaker ordered me to sit down. There is no provision for that. But I do not mind that if it is under the rules of this House. But, Mr. Speaker, one further thing, there is absolutely no authority for this Speaker to cut off the mike of anybody. There are provisions where the Speaker thinks that things are out of hand, to get assistance. But the Speaker is without authority to cut off the mike, is without authority to even appeal, unless the Speaker tells the person speaking what rule is violated.

Mr. Speaker, that infraction, in my mind, is not just violative of Hardy Williams, State Representative. But if we cannot respect the rules that we made, then each and every one here would be endangered by the whim and caprice of a Speaker. Now I know, and I am not naive enough not to know that a Speaker or a leader may be doing something that he wants done. And that is okay. We all take our lumps. But if we are talking about doing that without going through the steps, then we are talking about something less than a democracy.

I appreciate Mr. Irvis and Mr. Manderino speaking up for me, a Democrat, as they should do. And I would hope on this matter that both sides would do just that, because I will insist and get everything, every right and every privilege that we are entitled to. That is why I came here, and I am going to get it. I would hope that we do that in an intelligent and orderly manner.

Mr. Speaker, I would just finally say to the Chair, and I respect this Chair, regardless of who sits in it, but we cannot maintain and preserve that respect unless we do it according to our rules. I insist that we follow that, not only in my case, but in anybody else's case. I feel that because of the nature of the legislation we have before us and what is going on that our edges may get frilled, but that is no excuse. That is the only time when insisting on democratic rules in a democracy where it is even important, because if it is not tested in open debate, then there is no point in having the rules. We might just as well have a dictatorship.

I appreciate the opportunity of making these comments, but I prefer to do it, Mr. Speaker, in an orderly fashion. I also prefer to do it in not an open fashion, but sometimes that is necessary. And just so we can respect our own rules on every member, Mr. Speaker, I wanted to call to your attention that very clearly, there is no authority to turn off this mike on anyone, and I say that to you respectfully. And there is no authority for the Speaker not to, under these rules, specify—as you did to Mr. Street—just what rule is being violated. And I submit to the Speaker, that the record here will show that I violated no rule; that I was orderly and on time; and that just maybe the Speaker had lost the continuity of the debate. I thank you.

STATEMENT BY MAJORITY LEADER

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

Mr. RYAN. I seek permission to make a unanimous statement, or a unanimous consent to make a statement. Pardon me, I am a new man around here.

The SPEAKER. Without objection, the majority leader may proceed. The Chair hears none.

Mr. RYAN. Mr. Speaker, I listened as best I could to the remarks of the gentleman, Mr. Williams, and I am not going to agree or disagree with the remarks as they come subjectively from Mr. Williams. However, I am not going to stand here on this floor and suggest that what Mr. Williams says is always true. For instance, I believe the Speaker does have the right to cut off the microphone in furtherance of his duty and obligation to this House to maintain decorum in the House. And if a person has been challenged, and their right to retain that microphone has failed and they no longer have that right, I think the Speaker not only has the right to turn it off, but I think he has the obligation to the rest of these members to turn it off.

The charge that we have given the Speaker, Mr. Williams, in our rules, is to maintain the decorum in this House, that you are obviously pointing to now as you open the rule book. There are differences; there are corresponding rights and obligations on both of us, that is, the Speaker and the members of this House. I just hesitate to leave your remarks go unchallenged, although I am not necessarily challenging them in the situation that you are posing as it pertains to yourself. I am saying, as a broad statement, I disagree that the Speaker cannot maintain decorum by the manipulation of these microphones. The microphones belonging to the majority and the minority leaders are always on, and that was done by special rule, as I recall, Mr. Speaker. The microphones in the back of the House have not always been in the "on" position.

With that, I will step down, but I believe he has a tough job, and if this Speaker or any other Speaker lets this hall turn into a zoo, then perhaps that Speaker should be removed, and I know that is not going to be the case with Speaker Seltzer.

The SPEAKER. The Chair, under the rules of this House, shouldered with the responsibility to reserve order and decorum at all times, that the Chair has done, and that the Chair will continue to do as long as he is your elected presiding officer.

The Chair differs with the gentleman in that the Chair does believe he was in violation of a rule. The Chair still believes he was in violation of a rule, and the Chair gave the gentleman the opportunity to appeal his ruling. The gentleman did not take an opportunity to do so at the time.

The Chair has protected the rights of every member of this House and will continue to protect the rights of this House to debate at length on every subject that comes before it that is pertinent to this House. The Chair, very jealously, guards the rights of his members and will

continue to do so. And if this Speaker or any other Speaker ever goes far afield, the majority of the members of this House will straighten that Speaker out—whether it is this one or any other one—very quickly, and the Chair understands that and recognizes that fact very vividly.

The Chair recognizes Mr. Williams.

Mr. WILLIAMS. Mr. Speaker, I do know and Mr. Ryan knows that often times we cannot help but act like a zoo, and we do that, so that is no big thing. I would just like to suggest to Mr. Ryan that those broad statements have specific applications, and I think that we really ought to know whether or not a Speaker, or anybody else can—and I'm not debating it—really can turn off a mike. It is not in here, but if that is what you interpret, we all here ought to know that, because the only thing we can do here is talk; that is all. We cannot do anything else. You guys who have open mikes, you all can twist arms. But everybody else here, all they can do is talk, and they represent people that expect you to talk.

For Mr. Speaker, I would just like to leave one final question with you, sir. The record will not show that the Speaker ever told me when I asked what rule did I violate. And you suggested that I did, and I would like to know, Mr. Speaker, at some point from the Speaker, who would jealously guard that right for us to speak, just what rule I did violate, because I do not know yet. And I would just like to leave that with you; I would really like to know. I would think that it would be good if we all knew.

The SPEAKER. Does the gentleman, Mr. Street, have any additional amendments to this bill?

Mr. STREET. Yes, Mr. Speaker.

The SPEAKER. The gentleman is in order and he may send his amendment to the desk.

Mr. STREET. I have about 500.

On the question recurring,

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

Mr. STREET offered the following amendment:

Amend Sec. 1 (Sec. 432), page 2, by inserting between lines 27 and 28 (G) A person who during the past five years has been employed in three or more jobs and has been unable to retain employment through no fault of his or her actions.

On the question,

Will the House agree to the amendment?

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

Mr. STREET. This amendment deals with "A person who during the past five years has been employed in three or more jobs and has been unable to retain employment through no fault of his or her own actions." Now that is very important, and I would want to explain that.

If we use again the premise upon which this bill was put together, we will find again that the \$34 million that is spoken of in the bill is the projected savings in the first year. Yet, Mr. Punt indicated yesterday that 80,000 people would be taken off the rolls in the first year.

I went home last night and I put together some figures. I said, well, if 80,000 people are going to be taken off the rolls in the first year and we are going to give those people 6-month phase-in time plus one, which is 7 months, then of course, we are talking about a savings of \$75 million over a 5-month period; a fiscal year, 5-month period. So what happens is, Mr. Punt's response to my question simply went to the fact that there was a formula that was used that came up to the \$34-million figure.

If I may I would like to ask Mr. Punt, Mr. Speaker, if he could explain that formula to me once again that was used to get to that \$34-million figure.

The SPEAKER. The question before the House is the amendment offered by Mr. Street. The gentleman will please confine his interrogation to the amendment he has offered.

Will Mr. Punt stand for interrogation on the amendment?

The gentleman indicates he will stand for interrogation. The gentleman, Mr. Street may proceed.

Mr. STREET. Mr. Speaker, do you find that there are any GA recipients that will be affected by HB 2044 that have been unemployed for more than 5 years because of no fault of their own?

Mr. PUNT. I do not know that.

Mr. STREET. You do not know?

Do you find that there are any GA recipients who are employed for more than 4 years through no fault of their own?

Mr. PUNT. I do not know that; nor 5 years, or 6 years, or 8 years, or 10 years, Mr. Speaker.

Mr. STREET. Well, do you know if there are any who are unemployed for 4 years through no fault of their own?

Mr. PUNT. No, Mr. Speaker.

Mr. STREET. Do you know that there are GA recipients who are unemployed and have received general assistance for more than 1 year through no fault of their own?

Mr. PUNT. No, I do not.

Mr. STREET. Do you know of any GA recipients who have received grants for more than 6 months through no fault of their own?

Mr. PUNT. No, I do not.

Mr. STREET. Well, why are we trying to get them off welfare?

Mr. PUNT. I do not see how that has anything to do with your amendment.

Mr. STREET. Well, my amendment says, "A person who during the past five years has been employed in three or more jobs..." meaning he has worked periodically and has been unable to retain employment through no fault of his own or her own. So what I am saying is that, how many people do we have of your 80,000 who are GA recipients through no fault of their own because they just do not have a job?

Mr. PUNT. Eighty thousand.

Mr. STREET. Eighty thousand. So all 80,000 of those people would be employed if there was a job, right?

Mr. PUNT. I believe in people and I believe if things were possible, they would. I am optimistic about that.

Mr. STREET. Oh. I am confused now, because I thought, Mr. Speaker, that you have been saying to people that there are jobs out there, and all of the rest of the people here have been saying, there are jobs out there but the people need to get out and look for them.

I am trying to point out here that this amendment will keep people on the rolls who are unemployed, but they are unemployed through no fault of their own. My question went to how many people would this amendment affect who are on GA because of no fault of their own, and you said 80,000. So if we have—

Mr. PUNT. No, I did not, Mr. Speaker.

Mr. STREET. I am sorry. I am sorry.

Mr. PUNT. No, I did not.

You asked how many people were on GA that were in this category, and I merely replied to the original figure which you cited as to 80,000.

Mr. STREET. Well, I cited the figure that you cited to me yesterday. I said how many people will HB 2044 affect? You said 80,000.

Mr. PUNT. That is correct.

Mr. STREET. I said, well, how many who are employed in this amendment—

The SPEAKER. The gentleman will please confine his interrogation to his amendment. The gentleman may proceed.

Mr. STREET. This amendment here that I have, A5465, addresses those recipients who are on GA now through no fault of their own. In response to that you—

QUESTION OF INFORMATION

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

Mr. PUNT. I rise to an inquiry.

The SPEAKER. The gentleman will state it.

Mr. PUNT. I believe Mr. Street just said amendment No. 5465.

The SPEAKER. The amendment before the House is A5467. The gentleman, Mr. Street, may proceed on amendment A5467.

Mr. STREET. Mr. Speaker, I was in error when I read the amendment, so the gentleman, Mr. Punt, needs not fear that he is discussing an amendment that is not before the House. I would not be so cruel as to do that to you, Mr. Speaker.

Mr. PUNT. I know you would not, Mr. Speaker. You are very kind.

Mr. STREET. What I am trying to ascertain is that this amendment can in fact assist people, Mr. Speaker, who are legitimate. I use the word legitimate to buttress the Governor's statement "truly needy." He wants to take these people off to give an increase to the "truly needy." What I am trying to establish is that there are some truly needy right here on the GA because they are unemployed

through no fault of their own. What this amendment simply says is, a person who during the past 5 years, they have been employed, but as a result of their continuing trying to get employment, they have ended up on the GA rolls through no fault of their own.

The jobs left, like Korvettes. We have people at E. J. Korvettes who have been employed for the whole 12 or 13 years that E. J. Korvettes was in the area, and some of those people are now on GA.

I am on the amendment, Mr. Speaker. I anticipated the Speaker was going to say something. I will continue.

What I am saying is that I am trying to establish that we do in fact have people on GA who could be protected by this amendment, who would in fact look for a job and maybe only remain there for a short period of time because they are there because they have had employment and they have ended up there through no fault of their own. That would have to be established, that they had employment. I think that is fair. So I would ask the House if they would give me a unanimous "yes" on this amendment.

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

The following roll call was recorded:

YEAS—56

Austin	Dumas	Laughlin	Pistella
Barber	Earley	Levin	Pucciarelli
Beloff	Fryer	McCall	Rappaport
Bennett	Gallagher	McMonagle	Richardson
Borski	Gatski	Manderino	Rieger
Caltagirone	Goodman	Michlovic	Rodgers
Chess	Harper	Mrkonic	Schmitt
Clark, B. D.	Hutchinson, A.	Mullen	Sirianni
Cohen	Irvis	Murphy	Stewart
Cowell	Itkin	Novak	Street
DeWeese	Jones	O'Donnell	Stuban
DiCarlo	Knight	Oliver	Trello
Dawida	Kolter	Petrarca	White
Dombrowski	Kukovich	Pievsky	Williams

NAYS—113

Anderson	Foster, Jr., A.	McClatchy	Shupnik
Arty	Gallen	McKelvey	Sieminski
Belardi	Gamble	McVerry	Smith, E. H.
Bittle	Gannon	Mackowski	Smith, L. E.
Bowser	Geist	Micozzie	Spencer
Brandt	George, C.	Miller	Spitz
Brown	George, M. H.	Moehlmann	Stairs
Burd	Gladeck	Mowery	Steighner
Burns	Goebel	Nahill	Swift
Cappabianca	Grabowski	Noye	Taddonio
Cessar	Grieco	O'Brien, B. F.	Taylor, E. Z.
Cimini	Gruppo	O'Brien, D. M.	Taylor, F.
Clark, M. R.	Halverson	Perzel	Telek
Cochran	Hasay	Peterson	Thomas
Cole	Hayes, Jr., S.	Piccola	Vroon
Cornell	Helfrick	Pitts	Wargo
Coslett	Hoeffel	Polite	Wass
Cunningham	Honaman	Pott	Wenger
DeMedio	Hutchinson, W.	Punt	Wilson
DeVerter	Johnson, E. G.	Pyles	Wilt
Davies	Kanuck	Reed	Wright, D. R.
Dietz	Klingaman	Ritter	Wright, Jr., J.
Dorr	Knepper	Rocks	Yahner
Duffy	Kowalshyn	Ryan	Yohn
Durham	Lashingier	Salvatore	Zitterman
Fee	Lehr	Scheaffer	
Fischer	Letterman	Schweder	Seltzer,
Fisher	Livengood	Serafini	Speaker

Foster, W. W. Lynch, E. R. Seventy
NOT VOTING—27

Alden	Gray	Madigan	Sweet
Armstrong	Greenfield	Manmiller	Wachob
Berson	Hayes, D. S.	Milanovich	Weidner
Dininni	Johnson, J. J.	Musto	Zeller
Freind	Levi	Pratt	Zord
Geesey	Lewis	Rhodes	Zwikl
Giammarco	McIntyre	Shadding	

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

WELCOME

The SPEAKER. The Chair welcomes to the front of the House, a former distinguished Democratic member of this House from State College, Centre County, Galan Dreibelbis.

STATEMENT BY MRS. TAYLOR

The SPEAKER. For what purpose does the lady from Chester rise?

Mrs. TAYLOR. Mr. Speaker, I rise to ask for unanimous consent to make a statement.

The SPEAKER. The lady from Chester asks for unanimous consent of the House to make a brief statement. Without objection, the lady may proceed.

The Chair hears none.

Mrs. TAYLOR. Mr. Speaker, I feel that as we are going through the myriad of amendments offered by Mr. Street, that both he and the members of this House should be well aware that 267 amendments, that Mr. Street says he has to this bill, amount to about \$7,000 of the taxpayers' money.

Now, I have a breakdown and I attempted to give that before when I spoke.

I would like to say that it seems to me that there are many of his amendments that could have been combined and there are many of his amendments that he may or may not wish to bring before this House. I feel, as one who is a representative of the taxpayers' money, that we should be very conscious that in order to print one page of any amendment, it costs the taxpayers of this state \$26.46. Now these are rough figures, and I suppose if we were to do it down to the penny, we would find that we would have much more costs than these figures indicate. I think as we go through the amendment process, we should keep this figure well in mind. Thank you, Mr. Speaker.

STATEMENT BY MINORITY WHIP

The SPEAKER. For what purpose does the minority whip rise?

Mr. MANDERINO. Mr. Speaker, I rise to ask for unanimous consent to make a brief remark about money. Very quickly, we could have saved this \$7,000, \$7,000 more, and \$7,000 more, and \$7,000 more on top of that if we would not have called those special elections except on a day different from the primary. That is going to cost us a

quarter of a million dollars. Where were you then, Mrs. Taylor?

Mrs. TAYLOR. Mr. Speaker, if I may respond to that, I knew—

The SPEAKER. Will the lady yield? Each side got their lick in. Can we get back to the amendments?

Mr. ZELLER. Mr. Speaker—

The SPEAKER. Joe, please do not try to resolve our problems.

Mr. ZELLER. No, I am not trying to resolve your problems. I want to vote. My gosh, do not label me like somebody else did earlier, please. Ecenbarger from the Philadelphia Inquirer has been doing a great job on that. So may I vote?

The SPEAKER. The gentleman, Mr. Zeller, has asked unanimous consent to make a brief statement.

Mr. ZELLER. No, I am not. I just want to vote on the last one.

REMARKS ON VOTE

Mr. ZELLER. I was in the back of the room. I would just like my vote registered on the last vote. The number is A5467 to HB 2044. For the benefit of these lovely ladies here, I am voting "no."

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

CONSIDERATION OF HB 2044 CONTINUED

On the question recurring,

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

Mr. STREET offered the following amendment:

Amend Sec. 1 (Sec. 432), page 2, by inserting between lines 27 and 28 (G) A person who was incarcerated within the past five years and to whom the department has not provided vocational training.

On the question,

Will the House agree to the amendment?

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

Mr. STREET. This amendment deals with "A person who was incarcerated within the past 5 years and to whom the department has not provided vocational training." Now that is important.

The SPEAKER. Has the gentleman completed his debate?

Mr. STREET. Yes.

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

Mr. RICHARDSON. To debate the amendment, Mr. Speaker.

The SPEAKER. The gentleman is in order. The clerk will strike the roll.

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

Mr. RICHARDSON. Mr. Speaker, I am trying to find the amendment.

We did not get a copy of it. Everytime you call them up—

The SPEAKER. Does the gentleman, Mr. Street, have a copy of his amendment for Mr. Richardson to refer to?

Mr. RICHARDSON. I rise to support the amendment of Mr. Street. The reason I needed a copy of it is because I wanted the exact wording. I want to know if I can interrogate the gentleman, Mr. Punt?

The SPEAKER. Will the gentleman, Mr. Punt, stand for interrogation? The gentleman indicates that he will. The gentleman, Mr. Richardson, may proceed on the amendment.

Mr. RICHARDSON. Mr. Speaker, my question is relevant to what we raised earlier concerning vocational education. I sometimes get confused because I am not understanding what your side is trying to do in ramroding this down our throats. I wanted to know whether or not those who are incarcerated, who do not have an opportunity for any training skills at all inside of the institution, when they come out will not be eligible for employment or they might not be even eligible for this GA. What would they do?

See, you are opposing all of these amendments. So you have already made it clear that all your side is opposing everything that we put up. So I just want to know what do we do?

Mr. PUNT. Mr. Speaker, I would suggest that you ask the sponsor of this amendment to clarify that.

Mr. RICHARDSON. No, no, no, no, no. I am asking you. You are the prime sponsor of this bill. You told me earlier—

The SPEAKER. The question before the House is the amendment, not the bill.

Mr. RICHARDSON. That is what I am dealing with, the vocational training—

The SPEAKER. Will the gentleman confine his interrogation to the amendment?

Mr. RICHARDSON. I am. This gentleman indicated that in vocational training there should be people independent who go out and find jobs. What I am trying to find out now from this gentleman here is, where would they go if they have been incarcerated, particularly for 5 years, and they come out? What do you suggest that they do?

Mr. PUNT. Mr. Speaker, I do not suggest anything other than you ask the prime sponsor of this amendment to clarify it.

Mr. RICHARDSON. No, no, no, no. I am asking you because you said you are against vocational training of persons receiving employment from BES. We talked about other governmental employes. You voted against Mrs. Harper's amendment to try to deal with minimum wage, and now we are specifically saying, since you are already opposed to this amendment, what do people do who are incarcerated?

We are getting all of this for the record, so that when we file suit against you all for discriminating against poor people in this Commonwealth, it will be recorded. That is why we are doing it. So I want him to tell us why.

The SPEAKER. Will the gentleman please confine his remarks to the amendment?

Mr. RICHARDSON. Well, I am dealing—

The SPEAKER. The gentleman, Mr. Punt, indicates that he has no response to your question.

Mr. RICHARDSON. He did not say that. He did not say that. He told me to ask someone else. I am asking him. Since you raised—

The SPEAKER. Will the gentleman, Mr. Punt, respond to Mr. Richardson's inquiry?

Mr. PUNT. Mr. Speaker, I did respond, and the author of this amendment is going to have to give his answer. I did not initiate this amendment.

The SPEAKER. The Chair thanks the gentleman.

Mr. RICHARDSON. Now, on vocational training, maybe you do not understand. See, that is probably part of the problem already. You do not understand because you are not listening. You said earlier, did you not, Mr. Speaker, that those individual persons who are in the area of vocational training that they should independently go out and find a job? Did you not say that?

Mr. PUNT. I said all 80,000 ablebodied recipients, which would be placed in the transitional category, should go out and look for jobs.

Mr. RICHARDSON. Right. But I specifically defined the word "vocational" in the amendment discussion and asked you whether or not there were jobs for those who fit in the vocational training area and asked you how many there were. You said you did not have that specific information. You also indicated that regardless of whether it was vocational or not; and I am asking you, do you remember that discussion, because you are saying that I should ask the prime sponsor of this amendment. I am trying to get to what do we do with those who have been incarcerated who cannot get jobs because they are not there? They are not available in the Commonwealth of Pennsylvania, as we already indicated, and where do you suggest that they go and get these jobs?

Mr. PUNT. Again, Mr. Speaker, ask the prime sponsor. On areas of debate regarding HB 2044, we will address upon its final passage. I will take your inquiries and so forth regarding this specific amendment, and that is all.

Mr. RICHARDSON. Oh, in other words you refuse to answer my question?

The SPEAKER. The gentleman indicated he has no response to your question.

Mr. RICHARDSON. Okay, Mr. Speaker. That is quite obvious. I just wanted to get it clear for the record. Thank you very much.

Again, Mr. Speaker, if people are arrested, locked up, incarcerated for periods of time in this Commonwealth, it is quite clear that if they were to get out of the institution, go and try to find employment, particularly with the offender

program that exists in this Commonwealth, there is not an exuberant amount of jobs for people to go to.

This gentleman indicated already that he does not care where they go. He already indicated that I should ask the prime sponsor of the amendment when he indicated in vocational training that there are no such jobs. My point is that on the amendment—

The SPEAKER. The question before the House is the amendment. If the gentleman wishes to debate the amendment, he is in order.

Mr. RICHARDSON. I am debating the amendment, Mr. Speaker.

The SPEAKER. The gentleman is debating the bill.

Mr. RICHARDSON. I am debating the amendment.

The SPEAKER. The gentleman is debating the bill.

Mr. RICHARDSON. I am debating the amendment.

The SPEAKER. Will the gentleman please confine his debate to the amendment? The gentleman may proceed.

Mr. RICHARDSON. I am debating the amendment. I will continue to do so.

The SPEAKER. The gentleman has been debating the bill.

Mr. RICHARDSON. I am debating the amendment.

For a person being incarcerated within the past 5 years, the department has not provided vocational training. I am speaking directly to that amendment and I have read the amendment so that I can clarify that I am speaking to it just like any other member who has a right on this floor to do. I ask that when they are speaking directly to an amendment, that you do not bang the gavel like you have been banging it on us, and I resent it.

We are speaking specifically about the fact of people who are arrested in this Commonwealth of Pennsylvania who do not have a place to go because there is no vocational training inside those institutions. So that when they come out, how could they be capable and ready from any vocational training? I am asking this gentleman over here, who says he is so knowledgeable of this bill and who put it together and does not have any facts, does not relate to the fact that we are dealing with people's lives. Regardless of whether they are inside incarcerated or outside walking around or whether or not they have come up with this word "transitionally needy," which sounds sophisticated, that does not deal with taking care of those persons. I am suggesting that this amendment does that. And in that regard, I think that we should spend some time in looking into areas of concern where we know people cannot find jobs, where we know that people cannot just walk off the streets and get a job. This amendment clarifies that. It gives an opportunity for the members of this House to take care of those who have been incarcerated and have no place to go, because this Commonwealth does not in fact take care of that problem inside the institution. Now we wind up paying about \$15,000 a year to keep people incarcerated. And in that regard of sending someone out into the streets with no job, this amendment is relevant. It is relevant to everything that we are dealing with, and if we cannot see

that, then I think that perhaps maybe we need to have our heads examined. This speaks directly to the amendment.

I am asking that the members of this House come off the high horse that they are on and start looking and listening to the amendments that are being offered, because maybe one of you may have one of your loved ones in the very same situation; they might come out of an incarcerated institution in this Commonwealth with no place to go and then are told that they can get one check a month out of a year and find employment anywhere. Well, employment is not anywhere in the Commonwealth of Pennsylvania. We have already established that. We brought some figures to you that perhaps you will listen to or that you will not. In any regard, it seems to me that we need to spend some time on the fact that there are over 639,000 in this Commonwealth, over 639,000 in the State of Pennsylvania who are registered with the Bureau of Employment Security, 639,000. The only problem with that is that in the city of Philadelphia over 30,000 of those particular individuals who have fallen into the GA category in January of 1980, by then they have only placed 1,000 persons in jobs.

The jobs do not exist. Regardless of what you say, as fast as you ram it down the throats of the people in this Commonwealth, it does not matter; it does not exist. Those jobs are not there.

If there was sincerity on the part of the members of this House, who are supposed to be intelligent human beings and are recognizing that you cannot put the cart before the horse, that you have to give or substitute alternatives and realizing that there must be something there for them to grasp, and then to look at the other side of the coin and say, there is nothing there for me. What do I do? This brings on the hardship specifically in the point of the fact that these people who have been arrested, locked up, and sent away will have no place to go.

In that regard, Mr. Speaker, I ask that the members vote in favor of this amendment and think about what I have said about those who are incarcerated in institutions.

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

Mr. WHITE. Would the prime sponsor of the bill stand for brief interrogation?

The SPEAKER. The gentleman, Mr. White, asks to interrogate Mr. Punt?

Mr. WHITE. Yes, Mr. Speaker.

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

Mr. WHITE. Mr. Speaker, as the prime sponsor of this legislation, what would be the net effect of the passage of this particular amendment offered by Mr. Street?

Mr. PUNT. The way that I read the amendment, Mr. Speaker, ablebodied individuals would still be eligible to remain on the rolls of general assistance, which is contrary to the intent of HB 2044.

Mr. WHITE. Mr. Speaker, does the bill speak to any of the particulars which are addressed in this amendment with

regard to individuals who have been incarcerated within the last 5 years?

The SPEAKER. Will the gentleman yield? The Chair is unable to hear Mr. White. The members will please hold their conversations to a minimum.

The gentleman, Mr. White, may proceed.

Mr. WHITE. Yes. I will ask the question again.

As you have drafted HB 2044, is there anything in the bill that speaks to the particulars that are addressed through the amendment offered by Mr. Street?

Mr. PUNT. The bill only addresses those categories which are stated in HB 2044.

Mr. WHITE. Is there anything within HB 2044, Mr. Speaker, that speaks to the plight of the ex-offender who has been incarcerated, who has not been on the job market, and who has not been available for any type of vocational training?

Mr. PUNT. Yes, Mr. Speaker. If that person would be physically or mentally unable to work or as defined within the areas of the chronically needy category, they would fall into that category. If they would not and applied for general assistance and if they would be eligible, they would be eligible under the transitionally needy category.

Mr. WHITE. Which would then qualify them for what, Mr. Speaker?

Mr. PUNT. In what, the transitionally needy category?

Mr. WHITE. That is correct.

Mr. PUNT. They would be entitled to one check during a 12-month period; they would be eligible for food stamps, for fuel assistance, for medical assistance and job counseling, et cetera.

Mr. WHITE. But they would not be entitled to anything other than the one check over a 30-day period?

Mr. PUNT. They are entitled, Mr. Speaker, to everything that I just mentioned, all of the additional programs and benefits with the exception regarding the check. On the check, they would be eligible for 1 month's check during a 12-month period.

Mr. WHITE. Then the response to my question is "yes"?

Mr. PUNT. It has been so long ago, I forget what your question was.

Mr. WHITE. No, it was not that long ago. Do not play with me, Mr. Speaker.

Mr. PUNT. I am not. I am serious. What was the question again, Mr. Speaker?

Mr. WHITE. The question was, under your legislation would anyone having been incarcerated for a 5-year period of time without any vocational training be entitled to any additional embellishments other than the one check over a 30-day period?

Mr. PUNT. Yes, Mr. Speaker. I answered that question. They would be eligible for, in addition to the 1 month check—

Mr. WHITE. Thank you, Mr. Speaker. You have answered my question to my satisfaction.

Mr. PUNT. You asked me. Let me finish the question.—the medical assistance, fuel-grant assistance, food stamps, counseling service, employment service, family-planning service, housing service, information and referral service, legal service, life skills education service, service planning-case management service, and transportation.

Mr. WHITE. Thank you, Mr. Speaker.

Mr. Speaker, I would like to address the amendment.

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

Mr. WHITE. Mr. Speaker, the Street amendment addresses a group of people who have been historically blatantly discriminated against in the employment sectors of this state, both private and public. In that, everyone on the floor of this House will admit that probably the most difficult individual to place is a person who has spent some time in a state correctional institution, having been convicted of a crime. The point of the amendment speaks to this issue, and it speaks to this issue, I think, with a great deal of clarity.

My concern is that an individual, male or female, who has been out of normal society for a period of 5 years or more, who has not had the benefit of vocational training, who has not had the benefit of any employment counseling, who has not had the privilege of being a part of a job placement program while being incarcerated, who has not had an opportunity to take advantage of any, if any, job placement programs that the state would offer, would solely be left to his own means, or her own means, for survival after that one 30-day check has been received.

If the sponsor of this legislation understands that the unemployment rate among ex-offenders is in excess of 60 percent, if the sponsor of this legislation understands that ex-offenders are in fact probably the most discriminated-against group in this Commonwealth, then I could see no other reason, no reason, none whatsoever, for us to be opposing this particular piece of legislation.

Once an individual leaves a state correctional institution or county jail in Pennsylvania, under this bill they would only be entitled, as the gentleman has stated with respect to a cash grant, to one check. I fear very much for those individuals who would be coming or be subjected to this type of legislation without the Street amendment. You are talking about a group of people who are in fact unskilled. You are talking about a group of people who have not, again, been able to take advantage of those opportunities that the state would afford with respect to job readiness and job placement and job training. I would hope, Mr. Speaker, that we would carefully look at that particular segment of our society which has fallen victim to what I think is the most blatant type of discrimination in the employment sector of this Commonwealth, and that we do something to assist them in their plight upon their release from state correctional institutions and the county jails by supporting the Street amendment, Mr. Speaker.

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

Mr. STREET. Yes, I would just like to further indicate that I think the only possible chance of an individual who has been incarcerated having a successful reentry back into the general population is contingent upon his, one, job training and vocational area. If in fact that has not happened, then this person more than likely will become a first-, a second-, or a third-time offender. I think what we are going to end up with, if we pass this bill without this amendment that at least is dealing with those individuals who already have a criminal record, without giving them an opportunity to make a productive reentry into society, then I think all we are going to do is perpetuate crime in our neighborhoods, and I would suggest that we attach this amendment. Thank you.

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

The following roll call was recorded:

YEAS—39

Barber	Earley	Kukovich	Pucciarelli
Borski	Fryer	McCall	Rappaport
Cappabianca	Gallagher	Manderino	Richardson
Chess	Harper	Michlovic	Rieger
Cohen	Hoeffel	Milanovich	Rodgers
DeWeese	Hutchinson, A.	Mullen	Schmitt
Dawida	Irvic	Murphy	Street
Dombrowski	Jones	Novak	Trello
Duffy	Knight	Oliver	White
Dumas	Kolter	Pievsky	

NAYS—126

Anderson	Gamble	McVerry	Sieminski
Arty	Gannon	Mackowski	Sirianni
Belardi	Gatski	Manmiller	Smith, E. H.
Bennett	Geesey	Micozzie	Smith, L. E.
Bowser	George, C.	Miller	Spencer
Brandt	George, M. H.	Mochlmann	Spitz
Brown	Gladeck	Mowery	Stairs
Burd	Goebel	Musto	Steighner
Burns	Goodman	Nahill	Stewart
Caltagirone	Grabowski	Noye	Stuban
Cessar	Grieco	O'Brien, B. F.	Swift
Cimini	Gruppo	O'Brien, D. M.	Taddonio
Clark, B. D.	Halverson	Perzel	Taylor, E. Z.
Clark, M. R.	Hasay	Peterson	Taylor, F.
Cole	Hayes, Jr., S.	Petrarca	Telek
Cornell	Helfrick	Piccola	Thomas
Coslett	Honaman	Pistella	Vroon
Cowell	Hutchinson, W.	Pitts	Wargo
Cunningham	Itkin	Polite	Wass
DeMedio	Kanuck	Pott	Wenger
DeVerter	Klingaman	Punt	Wilson
DiCarlo	Knepper	Pyles	Wilt
Davies	Kowalyshyn	Reed	Wright, D. R.
Dietz	Lashingier	Ritter	Wright, Jr., J.
Dorr	Laughlin	Rocks	Yahner
Durham	Lehr	Ryan	Yohn
Fee	Letterman	Salvatore	Zeller
Fischer	Levi	Scheaffer	Zitterman
Fisher	Livengood	Schweder	Zord
Foster, W. W.	Lynch, E. R.	Serafini	
Foster, Jr., A.	McClatchy	Seventy	Seltzer,
Gallen	McKelvey	Shupnik	Speaker

NOT VOTING—31

Alden	Freind	Levin	Rhodes
Armstrong	Geist	Lewis	Shadding
Austin	Giammarco	McIntyre	Sweet
Beloff	Gray	McMonagle	Wachob
Berson	Greenfield	Madigan	Weidner
Bittle	Hayes, D. S.	Mrkonc	Williams

Cochran	Johnson, E. G.	O'Donnell	Zwinkl
Dininni	Johnson, J. J.	Pratt	

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. STREET offered the following amendment:

Amend Sec. 1 (Sec. 432), page 2, by inserting between lines 27 and 28 (G) A person who has not refused to participate in any training program sponsored by any employment training program sponsored by a state or Federal agency.

On the question,

Will the House agree to the amendment?

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

Mr. STREET. This amendment, Mr. Speaker, is amendment A5479, and it deals with a person who has not refused to participate in any training program sponsored by the employment training program sponsored by a state or Federal agency.

Now, what we have is a situation—if I can get the attention of the House, this is one you just might buy; this is a good one—we have in Philadelphia through the OIC - Opportunity Industrialization Center - a number of people who have participated and are skilled people. We have a number of plumbers, carpenters, bricklayers—I mean, we can document this. They are skilled people, and they have gone through the training programs but yet they have been unable to find a job, not only a job in the area of the particular trade that they have been trained for but also in the area of selling the cookies. The guy who has been trained could not have experience in selling the cookies from the paper. So what I am saying is that if we have a series of people throughout the Commonwealth who have really participated in programs - they said, I want to work; I want to better myself; I want to improve myself as an individual; and I want to be a productive citizen in the State of Pennsylvania - and they went and attended some kind of vocational school that was sponsored and supported by the state or by the Federal government—and there are a number of them—and they have completed these courses and they now have diplomas and they now are prepared to work, what this says is that if they have not refused—now if they refuse to even go and improve upon their qualifications that would qualify them for work, then I do not believe that they should qualify. What I am saying is that where people have demonstrated the initiative to participate in a program that was sponsored by a state or Federal agency, those people should be given an equal opportunity and should be prepared to stay on, because it is reasonable to conclude that if these people have enough initiative to go through the program, find the program, participate in the program, it is reasonable to conclude that these people will be just as assertive in trying to find a job. I ask for a “yes” vote on this amendment.

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

Mr. RICHARDSON. Mr. Speaker, I rise to support the Street amendment, and I do so, Mr. Speaker, in relationship to the fact that this is what we were getting at earlier. I ask that there be some way that their participation in a training program be accepted on assistance, but if it is sponsored by the state or the Federal Government, that we have a better opportunity of being able to address ourselves to their particular problem.

Presently in the State of Pennsylvania, there are—excuse me just a moment, Mr. Speaker.

In the calendar year of 1979, the state had 304,701 job openings. In Philadelphia there were only 37,790. Of that, in the same calendar year the placements for that in the state were 178,399, giving a total to Philadelphia of 25,489. Now, this all comes from the Commonwealth of Pennsylvania, again showing that we have done some research in these areas to try and come up with some figures that would give some substance to what we are doing as opposed to just knocking the amendments down without having any figures but just saying that because my emotionalism is high, I vote against them. So now we have an amendment that deals with what GA placements do we have.

In the calendar year of 1979, the state had 29,232 total for the state, and in Philadelphia, out of that 29,000, only 7,104 were placed. The total of all the registrations combined together, in the calendar year of 1979, was 609,159.

Mr. Speaker, you should listen to this information, because it is valuable to your bill, since you will have a chance to debate it; but if you are not listening, you will not know what we are referring to. I think this is important. You are saying that we are asking questions that do not speak directly to the bill. Here is something that does, and you are not listening.

Ninety-three thousand four hundred and eighty-four of those registrations came out of Philadelphia. In the GA registrations themselves in the same calendar year, the State of Pennsylvania had 83,481 positions; Philadelphia had 23,768. Now, it is ironic enough to know that just in the category of general assistance, in January of 1980 the state had 1,043 positions open. Out of that, Philadelphia only got 196. I am reminding you that we are talking anywhere in the range of about 40,000 to 45,000 who sit on GA, and we only were able to place 1,000 of them in jobs. That should tell you something. If it does not, it should.

So if we are dealing with this amendment and a person has not refused a job training program, even with all these statistics they have gone to the program and they cannot get in the program, they are locked out from the time that they say go, what do the persons do? You are saying to us that we still will deny them the right for GA other than 1 month out of a year. Then I ask the same question: How will they pay their rent? How will they get food? How will they get clothing? Or is it that you do not care? My latter conclu-

sion would be that the response by the votes in a straight line has indicated that you do not care. It seems that as you cry for the taxpayers of the Commonwealth of Pennsylvania to be concerned about fiscal mismanagement, at the same time no one is talking about the fact that people will starve to death, will not have any decent housing because they will not be able to pay their rent, which forces the same savings-and-loan people that you had yesterday, that these people who are on GA will not be able to in fact pay their mortgage. We are knocking them off, and in response to that they are losing money. Those who went to the dinner last night know exactly what I mean. You have a problem, and that is not being addressed.

My remarks in closing are this, Mr. Speaker: We have to give some consent to the fact that people who are less fortunate, those who do not have any other means of support, cannot be wiped out totally without an alternative. There cannot be any human, human, human dignity in the concept of wiping out these people without giving them something. When I say "these people," I am saying these people whom you have categorized in the area of general assistance. There has got to be a way to deal with it. This amendment speaks directly to that.

I ask that the members of this House vote in favor of a motion where if a person has taken the time to go through making sure that they have gone through all the qualifications and there are still no job training programs available at the state or the Federal levels, that they still be given general assistance. I will support the amendment and ask the members of the House to do the same.

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

The following roll call was recorded:

YEAS—41

Barber	Hutchinson, A.	Mullen	Rieger
Chess	Irvis	Novak	Rodgers
Clark, B. D.	Jones	O'Brien, B. F.	Stewart
Cohen	Knight	O'Donnell	Street
DeWeese	Kolter	Oliver	Sweet
Dawida	Kukovich	Petrarca	Trello
Dumas	Laughlin	Pievsky	Wachob
Earley	Levin	Pucciarelli	White
Gallagher	McMonagle	Reed	Williams
Gatski	Michlovic	Richardson	Wright, D. R.
Harper			

NAYS—130

Anderson	Foster, W. W.	Lynch, E. R.	Schmitt
Arty	Foster, Jr., A.	McCall	Schweder
Belardi	Fryer	McClatchy	Serafini
Bennett	Gallen	McKelvey	Seventy
Bittle	Gamble	McVerry	Shupnik
Bowser	Gannon	Mackowski	Sieminski
Brandt	Geesey	Manderino	Smith, E. H.
Brown	Geist	Manmiller	Smith, L. E.
Burd	George, C.	Micozzie	Spencer
Burns	George, M. H.	Milanovich	Spitz
Caltagirone	Gladeck	Miller	Stairs
Cappabianca	Goebel	Moehlmann	Steighner
Cessar	Goodman	Mowery	Suban
Cimini	Grieco	Murphy	Swift
Clark, M. R.	Gruppo	Musto	Taddonio
Cochran	Halverson	Nahill	Taylor, F.
Cole	Hasay	Noye	Telek
Cornell	Hayes, Jr., S.	O'Brien, D. M.	Thomas

Coslett	Helfrick	Perzel	Vroon
Cowell	Hoeffel	Peterson	Wargo
Cunningham	Honaman	Piccola	Wass
DeMedio	Hutchinson, W.	Pistella	Wenger
DeVerter	Itkin	Pitts	Wilson
DiCarlo	Johnson, E. G.	Polite	Wilt
Davies	Kanuck	Pott	Wright, Jr., J.
Dietz	Klingaman	Punt	Yahner
Dombrowski	Knepper	Pyles	Yohn
Dorr	Kowalyshyn	Rappaport	Zeller
Duffy	Lashingier	Ritter	Zitterman
Durham	Lehr	Rocks	Zord
Fee	Letterman	Ryan	
Fischer	Levi	Salvatore	Seltzer,
Fisher	Livengood	Scheaffer	Speaker

NOT VOTING—25

Alden	Freind	Johnson, J. J.	Rhodes
Armstrong	Giammarco	Lewis	Shadding
Austin	Grabowski	McIntyre	Sirianni
Beloff	Gray	Madigan	Taylor, E. Z.
Berson	Greenfield	Mrkonic	Weidner
Borski	Hayes, D. S.	Pratt	Zwilk
Dininni			

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. STREET offered the following amendment:

Amend Sec. 1 (Sec. 432), page 2, by inserting between lines 27 and 28 (G) A person who has been a registrant of the Pennsylvania Bureau of Employment Security and who has not been employed in one job for more than ninety consecutive days through no fault of the individual.

On the question,

Will the House agree to the amendment?

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

Mr. STREET. This amendment says, "A person who has been a registrant of the Pennsylvania Bureau of Employment Security and who has not been employed in one job for more than ninety consecutive days through no fault of the individual."

This bill simply says—and again we go back to the Bureau of Employment Security, and I keep trying to get people to zero in on that because that is the basis for the bill. What the bill states and the rationale that is being used is that we have 64,000 jobs available through the BES. My point is that if we have those jobs and a person has been registered in those jobs, then why is it those people have not been given a job? I mean, I do not understand. I do not understand how people can sit here and look around when we have mechanisms that are set up to give people work; people are required to join up; they go down and they join up; the Bureau of Employment Security does not do its job; and then we come back and say, well, we are going to take these people off because they are not working. So what this amendment does—

Mr. Speaker, has my amendment been circulated?

The SPEAKER. The Chair has a copy of it.

Mr. RICHARDSON. Mr. Speaker, there are members in this House who do not have it, and I am requesting that we get it.

The SPEAKER. In response to the inquiry by the gentleman, the gentleman, Mr. Street, had given to the amendment clerk a series of amendments which he was going to offer in order and asked that she have those reproduced in order, which she has done. The Chair has just been informed that this was not one of those amendments and that they are diligently working to reproduce all of the amendments the gentleman has given, but this one has not been reproduced as yet.

For what purpose does the gentleman, Mr. Davies, rise?

Mr. DAVIES. I rise for a question of inquiry to the maker of the amendment in reference to a statement he made.

The SPEAKER. Will the gentleman yield until we determine whether or not the amendment is proper to be considered at this time?

Mr. DAVIES. Thank you.

AMENDMENT WITHDRAWN TEMPORARILY

The SPEAKER. The Chair would suggest either Mr. Richardson withdraw his objection or Mr. Street withdraw his amendment at this time.

Mr. STREET. I will withdraw it at this time, temporarily, until it is printed. Is that correct, Mr. Speaker?

The SPEAKER. The gentleman is temporarily withdrawing amendment No. 5480, and the Chair would suggest that he only send down those amendments which have been reproduced and circulated as of now.

The Chair recognizes Mr. Street.

Mr. STREET. I would like to request that you go on to someone who has maybe one amendment. I will get these in order, and then I will continue.

The SPEAKER. The Chair thanks the gentleman.

PARLIAMENTARY INQUIRY

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

Mr. DAVIES. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DAVIES. On the fact that we lost that last amendment or we are not going to address that amendment, will the gentleman's remarks to that amendment be submitted for the record? In other words, what the gentleman has said thus far in relation to that amendment, would that stand on the record of this House, the Journal of this House?

The SPEAKER. In response to the gentleman, the remarks of Mr. Street that were given prior to the withdrawal of the amendment will be in the record of the House.

Mr. DAVIES. Well, then, Mr. Speaker, respectfully, I would have to intercede with a question of interrogation to the remarks that he had directed thus far to that amendment. The reason I say that, Mr. Speaker, is that there was

an inference in there that the office of employment security was failing to live up to its constitutional and other responsibilities under the laws of the Commonwealth, and I just had some doubts about those references if either they were not put in proper context or maybe I misinterpreted the speaker's intent.

Mr. Speaker, suppose we just let the matter go, because maybe it will rear its ugly head later in the heat of further debate. Thank you.

The SPEAKER. The Chair thanks the gentleman. The Chair would hope that he will keep this in mind, that when the amendment is offered again, he will then find himself an opportunity to interrogate Mr. Street.

Is the gentleman, Mr. Street, ready or should the Chair go on to another member?

Mr. STREET. Yes, will you go on to another member? I am getting them organized.

On the question recurring,

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

Mr. WHITE offered the following amendments:

Amend Title, page 1, line 4, by inserting a comma after "persons"

Amend Title, page 1, line 4, by striking out "and"

Amend Title, page 1, line 5, by removing the period after "persons" and inserting , and persons recently released from State correctional institutions or county jails.

Amend Sec. 1, page 1, line 10, by inserting after "amended" and a clause is added

Amend Sec. 1 (Sec. 432), page 3, by inserting between lines 9 and 10 (3.1) Persons who have been released from a State correctional institution or county jail shall be eligible to receive general assistance for up to 90 days.

On the question,

Will the House agree to the amendments?

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

Mr. WHITE. This amendment, numbered A5327, seeks to provide individuals who have been incarcerated in a state correctional institution or county jail, eligibility or an exemption rather for a 90-day period. In essence, what it would do would be to extend the 30-day period that they would be entitled to general assistance to a 90-day period, Mr. Speaker.

The SPEAKER. Has the gentleman completed?

Mr. WHITE. Yes. I am waiting to find out whether or not the prime sponsor of the legislation is in favor of or opposed to this amendment, and why.

The SPEAKER. Will the gentleman, Mr. Punt, stand for interrogation? The gentleman, Mr. White, may proceed.

Mr. WHITE. I would like to know, Mr. Speaker, your position on this amendment which would provide eligibility for up to 90 days for an individual who has been incarcerated in a state correctional institution or a county jail.

Mr. PUNT. Mr. Speaker, I oppose the amendment, because again it is continuing to negate the original intent and purpose of HB 2044.

Mr. WHITE. Thank you.

Mr. Speaker?

The SPEAKER. The Chair recognizes Mr. White.

Mr. WHITE. On the amendment.

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

Mr. WHITE. Mr. Speaker, what we are simply trying to do is to grant that individual who has been out of society for a period of time, due to incarceration, 90 days to find a job, 90 days to find a place to live and to find a means to take care of his own personal needs. I do not think that 90-day eligibility period is an unreasonable period of time. Certainly Mr. Punt may think so, since he believes that no one should be entitled to a check, period, except for a 30-day period. I would ask that the members of the House kindly vote in favor of this amendment, which would provide some 90 days' assistance for those individuals who have been incarcerated.

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

Mr. RICHARDSON. Mr. Speaker, in this Commonwealth when people are getting ready to be evicted, they at least give them 90 days in which to move. In this relationship to this particular bill, the steady onslaught of the members of this House is just to defeat any amendment, and I am putting this in the records because it is quite obvious that there is no concern about the fact that people should be given a 90-day grace period in which they can go and find a job, regardless of wherever it is, since that is the intent that I keep hearing come out of Mr. Punt's mouth, that perhaps maybe there can be something that deals specifically with trying to help somebody. But maybe that is not the intent, to help anybody. Maybe it is the intent that if a person who comes out into society just walks out into the world, a job will just be dropped upon them out of the clear blue sky, that we have nothing to worry about.

It seems to me that this amendment speaks to only giving that grace period of 90 days for those persons to go out and look for a decent job. Now, I do not understand the logic of why Mr. Punt would indicate to Mr. White that he would be opposed to such amendment when, in fact, the only thing that can be done is add an additional 60 days for a person to receive money so that that person may be able to go out and find employment. Most of the jobs that you have talked about are to going to require people to go, take an interview, et cetera, and then if they are turned down, they have to go back, and they keep looking and they keep looking and they keep looking for jobs. They keep trying to find some employment, and there is none out there. I cannot see why 90 days would be something that we would be opposing.

I feel this is a very important amendment, something that is serious, something that speaks to the bill, something that is not dilatory, something that is not negating the bill or any other message that has been proposed by Mr. Ryan which we reject. I think that it is quite clear that we have attempted to offer—and Mr. White's amendment here

dictates that—that all we want to do is get the members of this House to talk about giving a 90-day grace period, and I ask for an affirmative vote on the amendment.

Mr. Speaker, there is a speaker who wants to speak.

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

Mr. MILLER. While we are not in the most reasoned atmosphere here today, there are some very practical reasons why I would like to bring the members' attention to this particular amendment offered by Mr. White, and I might share them with you from the personal context as a small businessman who has employed, on occasion, ex-convicts.

There are particular parole condition difficulties occasionally presented to ex-convicts, conditions in terms of their parole, which mitigate against their looking for employment immediately after release. They can take the form of guidance counseling at its most rudimentary levels or as heavy as psychological counseling or drug and alcohol counseling after their release, and I am speaking specifically from personal experience. There are also periods of time, once that individual has found a job, wherein he needs to leave the job for a period of time as a result of one of those conditions of parole. I have had an employe specifically who had to leave my employ for a period of 2 months to meet a condition of parole; in this case, drug and alcohol counseling at one of our state rehabilitation centers, wherein he was on the outmate program but did need money to pay his little room rent and to buy food and groceries and those basic things.

I am not standing here bleeding for the ex-convict who stays on welfare for 5 years, but I am saying the suggestion to raise the period to 90 days may just give our probation and parole folks across the state an honest shot at finding them a job and effecting a rehabilitated individual and maybe, just maybe, keep our recidivism rate down for that one more individual. I think it is a good amendment, and I believe Mr. White has offered it in an honest and straightforward manner for your consideration, and I would ask that you consider it in that manner. Thank you, Mr. Speaker.

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

Mr. ZELLER. Mr. Speaker, prior to my coming to the House, I helped organize halfway houses for former convicts, and I should say not convicts but former inmates of prisons or what have you. When they are released—and we have a very good one in Allentown right now; it does a tremendous job—when you release individuals out of an institution and they have to go back in the old haunts, they usually wind up, as Mr. White stated earlier, about 60 percent of them wind up back in the institutions or back in crime again. I believe that for the benefit of society itself as a whole, this is the route you have to go, and even as far as I am concerned, we even go longer than this. In our halfway houses we have quarters for them—and I am not speaking to the amendment right now, but it does relate to

it—we do have conditions where we find them jobs, and I found many, many, many jobs for folks who have had this problem.

I do say that regardless of how you may feel with the welfare bill, I do not believe you are hurting anything by allowing this amendment to go, because as far as I am concerned, I do not even think the time is long enough, because it takes us a minimum of 6 months to get an individual back on his feet in regard to getting a job and having the employer feel that they feel relaxed with the individual. So I can support it, and you know I have been really hard on the amendments on this, but I do feel that this has compassion, not only for the individuals but for the society that individual has to come back into. I believe it is for the best interest of everybody that we help that individual become a good, sincere—if you want to call it—taxpaying citizen, or contributing to the system, however, by this method. Thank you.

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

Mr. BARBER. Mr. Speaker, we have been debating all day on many important amendments, and I cannot understand why legislators would make up their minds beforehand. I do not think there is a person in this House who could say this is a bad amendment. You have rehabilitation programs in jail and you cannot give a person or persons 3 months to get a job? I cannot believe that the people whom I have worked with for 12 years and the new members think that this is not a good amendment. This is a very good amendment. It definitely would take 90 days to rehabilitate anyone who has been incarcerated for a year or 2 years. I think this is a good amendment, and I would beg both sides of the aisle to vote "yes" on this amendment. Thank you, Mr. Speaker.

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

Mr. CUNNINGHAM. Mr. Speaker, I have a large penitentiary in my district, and I do not think there is anybody here who is more sensitive to the needs of inmates than I. I routinely have town meetings in the penitentiary and attempt to interact with them and discuss their concerns. This amendment is one of those amendments that is very difficult to speak against. It is kind of a "motherhood and apple pie" type amendment, but I would like to rise in opposition to it for the following reasons:

People who are incarcerated for extended periods of time are generally, not always, but generally incarcerated in institutions that have some systematic job training program. What is even more significant is that people who have been incarcerated for a significant period of time are very, very unlikely to be paroled if one of two things is not existent: either they have some clear means of support besides a job waiting for them or they in fact have a job or have some very definite likelihood of being able to get a job, something more firm than just a speculative supposition of the availability of a job. As a result of that, I think the number of people who will be affected by this will be infinitesimal,

and while the idea is a laudable idea, I think in light of the practical situation with which we are dealing here, I just do not think it is necessary, and I would oppose the amendment on that ground.

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

Mr. DAVIES. Mr. Speaker, would the maker of the amendment stand for a question of interrogation?

Mr. WHITE. Yes, Mr. Speaker.

Mr. DAVIES. Mr. Speaker, is there any particular reason, sir, why you ignored both Federal incarceration and those who may become of age who are released from private institutions under the direction of the court or under the order of the court and, when they are released, are put back into society with those same problems? In other words, what I am suggesting, sir, is that you are remiss in addressing both that segment and the private sector in this, or do you take care of it in some other fashion or manner?

Mr. WHITE. I apologize, Mr. Speaker, but I did not understand a word you said. I could not hear.

Mr. DAVIES. Mr. Speaker, essentially what I said as far as the question is, why do you ignore the Federal institutions and those who may be released from the confines of private keeping by order of the court, where they just go from their minority to the majority but are released from those institutions and the confines of the court order?

Mr. WHITE. Thank you, Mr. Speaker. I have a much better understanding of the question now. The reason that I did not deal with the Federal institutions nor the private-care facilities as you have described them is because I am trying to deal with a substantive matter in this amendment that will provide a 90-day extension for those within the state correctional institutions themselves, in the county jails. If it is the will of this House to accept this amendment and if there is a certain degree of sensitivity toward those who are confined to those private agencies or private institutions and are incarcerated within the Federal penitentiary system, I would have absolutely no problem with offering an additional amendment to cover the needs of those individuals as well, but for the stated purpose of this bill and of this amendment at this time, I have confined it to state correctional institutions and those individuals who have been incarcerated in county jails.

I would like to speak on the amendment, Mr. Speaker.

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

Mr. GRIECO. Mr. Speaker, I rise to support the amendment. I have been contacted many times by friends of the courts to get individuals a job to carry them over to get started in civilian life, and it has really helped, and I think we owe them something to get started and put them on the right track. I will vote for the amendment.

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

Mr. WACHOB. Mr. Speaker, may I interrogate the maker of the amendment?

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

Mr. WACHOB. Reading the amendment over, Mr. Speaker—and this may be a reiteration of the question Mr. Davies had—it appears that it would only apply to people incarcerated in state correctional institutions and not from county jails or Federal—

Mr. WHITE. County jails as well.

Mr. WACHOB. But it would have nothing to do with Federal installations?

Mr. WHITE. No; it would not.

Mr. WACHOB. Okay; thank you.

May I make a statement on behalf of the amendment?

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

Mr. WACHOB. Mr. Speaker, I rise in support of the amendment. If anyone is at all familiar with our prison systems and our correctional systems throughout the state and throughout this country, they are well aware of the fact that regardless of what we do with the people once they are in the institution in regard to rehabilitation, the biggest problem that these inmates face when they leave the institution is lack of work and lack of money. Regardless of what we do while they are there, if they come out and they are in the same environment and the same set of circumstances that directly affected their incarceration - that being lack of money and lack of shelter, lack of home and food - then we have done nothing with the rehabilitative process. I think it is very minimal to allow the people who are released from our correctional facilities, at the bare minimum—as my good friend, Mr. Zeller, said, this may not be going far enough—but I think it is a step in the right direction that we at least allow the people who are being let go by our state correctional institutions the opportunity for public assistance for, I believe, a 90-day period, and I very strongly agree with Mr. White's amendment and would urge support of the members of the House. Thank you.

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

Mr. BARBER. Mr. Speaker, I believe it is in the bill that if a person is an alcoholic, an addict, they can receive welfare. There is no way in the world—if a person has a habit, they can receive welfare, and we cannot extend this for 60 days more. That I cannot understand. Please, please vote "yes" on this amendment.

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

Mr. CUNNINGHAM. Mr. Speaker, I did not intend to speak a second time on this, but I want to express a concern here that I hear repeatedly in my district and I think should go into the record.

Many people in my district—certainly not all, but many people in my district—are concerned that we not get into a situation in which we are treating people who have broken the laws of this Commonwealth better than we are treating law-abiding, taxpaying, hard-working citizens, and I could not agree more that we have an obligation to try to prepare

those who are incarcerated in our penal institutions for a return to society, that we have an obligation to try to rehabilitate them to the extent that we can by providing them job training opportunities that will give them an opportunity for meaningful replacement. But with the unemployment situation we face now, I personally do not want to enact a law that is going to give preferential treatment to people who have broken the laws of the Commonwealth when we have taxpaying citizens who are working hard and trying to obey the laws and are just every bit as in need of the kind of benefits of welfare that people who have broken the laws of the Commonwealth are. So I think that is an important concern that should be considered as well.

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

Mr. ZELLER. Mr. Speaker, with all respect to Mr. Cunningham, I was going to say something political, but I will not.

The SPEAKER. The Chair thanks the gentleman.

Mr. ZELLER. It sounds good, what he is saying. It sounds good to the folks back home, but it does not work that way. Now he is going to tell me that the folks back home are seriously—and I think that those folks in Centre County are very intelligent people; the one sitting over there by the wall is a very intelligent individual. I say if you explain to them that it is that cheap to help an individual for 3 months, 3 months for that individual to be helped so he is not going to get back into an area of crime—you cannot guarantee that, but at least it is a cheap insurance policy—I cannot believe that the people in his area would not believe that. Intelligently tell them that.

Nobody wants anybody on welfare if they can help it. That is true. I have the same kind of district in Lehigh County. My people are just as hard on it with me as they ever were, and I have always spoken for this on the floor of the House. As a matter of fact, in the first session here we helped individuals to get—in other words, the county would not pay for the cost of incarceration in the state institutions, and we helped our counties, and I got criticized by some people for what we did, but it was the best thing that we could do. It has proven itself today.

But this is a cheap insurance policy, and you tell your people it is a lot cheaper than getting that individual back in the institution again and paying hundreds of thousands of dollars for either a 2-, 5-, or 10-year term. That is all we are asking for, like a halfway-house operation. Get that person some help, some way to have food and shelter and say that somebody does care, because if you ever get inside those institutions and you say you were—and I have been in there, not as an inmate but working in there, trying to help these people—you will find out that it is pretty tough inside an institution. You saw what happened in New Mexico and Attica, and I was out in Huntingdon along with my good friend, Mr. Hayes, when the condition happened out there in 1972. We saw what happened out there when the guards all walked out. It was a tough condition out there; I was

there. Those conditions exist in our prisons, and when they come out, a lot of these people have a chip on their shoulder, and we have got to give them help, and if you do not, they are going to be right back in there again unless you want to throw them all in a dungeon or do away with them all. No way. That is not the answer. So what we have to do is be sensible about this, and it is a very simple 3 months. As a matter of fact, as far as I am concerned, for those types of people, it is not long enough.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I urge the support of this particular amendment, and I ask the members to look at it again. This amendment is not a “bleeding heart” amendment. The amendment is to protect the very people Mr. Cunningham mentioned.

The problem that we always have with inmates released from correctional institutions is getting them jobs. Now, if men and women who have been in violation of the law are released into our communities without some effort being made to help them help themselves, we are inviting additional troubles from them, and the people who will be the receptors of those troubles will be the honest, hard-working people whom we are seeking here to protect. This is not being asked particularly because of the inmates, although that is part of our problem. It is really being asked to make sure, or at least help make sure, that the rate of recidivism will be decreased as far as our inmates are concerned and that those honest, hard-working people whom we represent are better protected from those who have violated the law and may again violate the law if in fact they can find no employment when they come out of our institutions. I urge the support of this amendment.

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

Mr. E. R. LYNCH. Mr. Speaker, will the sponsor stand for interrogation?

The SPEAKER. The gentleman, Mr. White, indicates that he will stand for interrogation. Mr. Lynch may proceed.

Mr. E. R. LYNCH. Mr. Speaker, if I am delinquent in a support order and the court gives me 10 days in jail, would I qualify for 3 months' assistance when I am released?

Mr. WHITE. I am sorry; I cannot understand your question at all.

Mr. E. R. LYNCH. I said, if I am delinquent in a support order and I am given 10 days in jail for contempt of court, do I qualify for 3 months' public assistance when I am released?

Mr. WHITE. If you were to qualify under the provisions of this act under general assistance, you would.

Mr. E. R. LYNCH. If I am sentenced to 10 days in jail because I am picked up as a common drunk and fined and cannot pay the fine, do I qualify?

Mr. WHITE. It probably would be the same thing, yes, Mr. Speaker.

The SPEAKER. Did the gentleman complete his interrogation?

Mr. E. R. LYNCH. I have. I would like to speak to the amendment.

The SPEAKER. The gentleman is in order to debate the amendment, and the gentleman may proceed.

Will the gentleman yield?

Mr. WHITE. Mr. Speaker, in response to his question, Mr. Barber just brought it to my attention.

The SPEAKER. The gentleman, Mr. White, has further response to the question, and the gentleman may proceed.

Mr. WHITE. If you are picked up as a common drunk, so to speak, undoubtedly a part of your sentence would have included some type of rehabilitative treatment, alcohol counseling, whatever. Those people are already covered under this particular legislation.

Mr. E. R. LYNCH. Mr. Speaker, I would oppose the amendment on the grounds that too often throughout this Commonwealth individuals are sentenced to short periods of time in jail for violating laws or being unable to pay fines, and all of these people, if they qualified otherwise for public assistance, would also qualify for 3 additional months when they are released. Accordingly, I would have to oppose the amendment, and I would request the other members of the House to oppose the amendment. Thank you.

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

Mr. WHITE. Mr. Speaker, it is clearly not my intent, as the sponsor of this amendment, to provide the assistance for the commoner as Mr. Lynch has described. The intent of this amendment speaks to the overwhelming majority of individuals who have been incarcerated in state institutions and in county jails, who have spent time in those institutions and have been out of the work force, out of an area where they can actually physically go and apply for a job. Those are the individuals whom we are speaking to. Certainly our intent is not to deal with that delinquent individual who may be sentenced to a short-term, 10-day-period jail sentence. That is not our intent at all, and I wanted to state that intent clearly for the record so that the members of this House would understand that clearly.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I listened to the remarks of Mr. Lynch, and I agree wholeheartedly with him. I listened to the remarks of Mr. White, and he says that it is not his intention that the people described by Mr. Lynch should receive the benefits of his amendment, but the fact remains, regardless of what legislative intent you put in the record today, the way this amendment is drawn, what happens is what Mr. Lynch describes. I have real trouble suggesting that people released from prison who are in there for 1 day, 1 weekend—and I have seen it; those of us who practice law have all seen it happen where a judge is slapping the wrist of a defendant and puts him in jail for a weekend—I hesitate to think that we send someone to jail for a

weekend to teach him a lesson, and the lesson we teach him is how to get on the public payroll for 3 months. For that reason, Mr. Speaker, I would oppose this amendment.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. May I point out to the majority leader and to Mr. Lynch and others the actual language of the amendment. The actual language of the amendment does not guarantee 90 days automatically. The language of the amendment says, "...up to 90 days."—there it is—"...shall be eligible to receive general assistance for up to 90 days." In other words, for a very minor crime where the person has served 5 days or 10 days and applies, the Welfare Department might very well say to that person, you may have a week of welfare; you may have 15 days; you may have 32 days. It is not automatically granting him or her 90 days, as some of you have argued. That is not what the gentleman, Mr. White's amendment says. I again urge a "yes" vote on the amendment.

On the question recurring,

Will the House agree to the amendments?

(Members proceeded to vote.)

VOTES CHALLENGED

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

Mr. RICHARDSON. I request time to have us check some names on the roll call.

The SPEAKER. The gentleman is in order. The Chair will hold the roll call open. Will the members please take their seats so the roll can be verified.

The Chair recognizes the majority leader. For what purpose does the gentleman rise?

Mr. RYAN. I was waiting for Mr. Richardson to challenge, and while he is checking, I am wondering if Mr. Rieger, Mr. McIntyre, and Mr. Gray are in the hall of the House? Mr. Beloff? Mr. Borski? Mr. Pucciarelli? Mr. Manderino? Mr. McMonagle?

The SPEAKER. The Chair would ask that only those members in their seats be recorded.

Mr. RYAN. Mr. DiCarlo? Mr. Ritter?

The SPEAKER. Will any of the members who have been voted who are not in their seats please have their votes taken from the board?

Mr. RYAN. Mr. Schweder? Mr. Rappaport?

The SPEAKER. Will the members please take their seats? The Chair is unable to determine whether the members who have been challenged by the majority leader, Mr. Ryan, are present or not present.

Will the majority leader read his list again?

Mr. RYAN. Messrs. Rieger, McIntyre—

The SPEAKER. Will the gentleman yield? One name at a time.

Mr. RYAN. Mr. Rieger.

The SPEAKER. Is the gentleman, Mr. Rieger, in the hall of the House? Will someone who is in the vicinity of Mr. Rieger's switch please take his name off the roll?

Mr. RYAN. Mr. Speaker, while they are there, maybe they could get Mr. McIntyre and Mr. Gray at the same time.

The SPEAKER. Mr. McIntyre and Mr. Gray?

Mr. OLIVER. Speaker, I think I am about the closest person to Mr. Rieger's seat. I do not know whether he is here or not. I do not know how his name got there, but at your request, sir, I will be happy to remove it.

The SPEAKER. The Chair thanks the gentleman; also Mr. McIntyre, if he is not in the hall of the House.

Mr. RYAN. Mr. Speaker, maybe Mr. Oliver could just wipe out those last two or three rows there, except for Jim Barber.

The SPEAKER. Will the gentleman, Mr. Ryan, continue with his list?

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. LEVIN. Is it not the correct procedure to strike the vote and request that only those members in their seats vote, rather than doing what Mr. Ryan is doing?

The SPEAKER. The rules of the House, Mr. Levin, are that only those members in their seats shall be recorded. The Chair is only attempting to enforce the rules of this House.

Mr. LEVIN. I again say that the correct procedure is to strike the vote, and if you want their names removed, you send Mr. Ryan back to remove them.

The SPEAKER. The gentleman, Mr. Ryan, will continue.

VOTE STRICKEN

Mr. RYAN. You know, the Irish in me is quick to accept the challenge, Mr. Speaker, but I would agree, maybe for the sake of simplicity, that some of these switches were caught in a short circuit or something and perhaps it would be quicker if we struck the board and voted again carefully. I do not like announcing names any more than anyone else.

The SPEAKER. Without objection, the Chair will ask the clerk to strike the roll. The Chair hears no objection. The clerk will strike the roll.

On the question recurring,

Will the House agree to the amendments?

(Members proceeded to vote.)

VOTES CHALLENGED

The SPEAKER. Does Mr. Richardson wish to challenge any votes?

Does Mr. Ryan wish to challenge any votes?

Mr. RYAN. Is Mr. Williams on the floor of the House?

The SPEAKER. Is Mr. Williams from Philadelphia on the floor of the House?

Mr. STREET. Yes.

The SPEAKER. Milt, I am sorry; you do not all look alike, or sound alike.

Mr. WHITE. Is Mr. Polite in his seat?

The SPEAKER. Is the gentleman, Mr. Polite, in his seat?

Is the gentleman, Mr. Williams, in his seat?

Are there any other objections to the roll?

Mr. WHITE. Just a minute, Mr. Speaker, please.

Is the gentleman, Mr. Pitts, in the hall of the House?

The SPEAKER. The Chair was unable to hear Mr. White.

Mr. WHITE. Is the gentleman, Mr. Pitts, on the floor of the House?

The SPEAKER. The gentleman, Mr. Pitts, is in his seat.

Mr. RICHARDSON. Is the gentleman, Mr. Burns, in the hall of the House?

The SPEAKER. The gentleman, Mr. Burns, is in the hall of the House.

Mr. RICHARDSON. Is the gentleman, Mr. Geist, in the hall of the House?

The SPEAKER. Is the gentleman from Blair, Mr. Geist, in the hall of the House? The gentleman, Mr. Geist, is in the hall of the House.

Mr. RYAN. Mr. Greenfield?

The SPEAKER. Is the gentleman, Mr. Greenfield, in the hall of the House? Will someone please remove Mr. Greenfield's name from the voting list?

Mr. RYAN. Mr. Dumas?

The SPEAKER. Is the gentleman, Mr. Dumas, on the floor of the House? Is the gentleman, Mr. Dumas, on the floor of the House?

Mr. RYAN. Mr. Jones?

The SPEAKER. Will someone please remove Mr. Dumas' name from the roll?

Is the gentleman from Philadelphia, Mr. Jones, on the floor of the House? The gentleman, Mr. Jones, is on the floor of the House.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—78

Austin	Gatski	Milanovich	Schmitt
Barber	George, M. H.	Miller	Seventy
Brown	Goodman	Mrkonic	Shupnik
Caltagirone	Grabowski	Mullen	Stairs
Cappabianca	Grieco	Murphy	Steighner
Chess	Harper	Nahill	Stewart
Clark, B. D.	Hoeffel	Novak	Street
Cochran	Hutchinson, A.	O'Brien, B. F.	Stuban
Cohen	Irvis	O'Donnell	Sweet
Cole	Itkin	Oliver	Taddonio
Cornell	Jones	Petrarca	Trello
Cowell	Knight	Pievsky	Wachob
DeWeese	Kolter	Pistella	Wargo
Dawida	Kukovich	Pott	White
Dombrowski	Laughlin	Reed	Wilt
Duffy	Levin	Rhodes	Wright, D. R.
Earley	Livengood	Richardson	Yahner
Fee	McCall	Rocks	Zeller
Fisher	McKelvey	Rodgers	Zitterman
Gallagher	Michlovic		

NAYS—82

Anderson	Foster, Jr., A.	Kowalyszyn	Scheaffer
Arty	Fryer	Lashinger	Serafini
Belardi	Gallen	Lehr	Sieminski
Bittle	Gamble	Letterman	Sirianni
Bowser	Gannon	Levi	Smith, E. H.
Brandt	Geesey	Lynch, E. R.	Smith, L. E.
Burd	Geist	McClatchy	Spencer
Burns	George, C.	Mackowski	Swift
Cessar	Gladeck	Manmiller	Taylor, E. Z.
Cimini	Goebel	Moehlmann	Taylor, F.
Clark, M. R.	Gruppo	Mowery	Telek
Coslett	Halverson	Noye	Thomas
Cunningham	Hasay	Perzel	Vroon
DeMedio	Hayes, Jr., S.	Peterson	Wass
DeVerter	Helfrick	Piccola	Wenger
Davies	Honaman	Pitts	Wilson
Dietz	Hutchinson, W.	Pratt	Wright, Jr., J.
Dorr	Johnson, E. G.	Punt	Zord
Durham	Kanuck	Pyles	
Fischer	Klingaman	Ryan	Seltzer,
Foster, W. W.	Knepper	Salvatore	Speaker

NOT VOTING—36

Alden	Freind	McVerry	Rieger
Armstrong	Giammarco	Madigan	Ritter
Beloff	Gray	Manderino	Schweder
Bennett	Greenfield	Micozzie	Shadding
Berson	Hayes, D. S.	Musto	Spitz
Borski	Johnson, J. J.	O'Brien, D. M.	Weidner
DiCarlo	Lewis	Polite	Williams
Dininni	McIntyre	Pucciarelli	Yohn
Dumas	McMonagle	Rappaport	Zwilk

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

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

Mr. RICHARDSON. Well, you never gave us the chance to finish checking names, and as I was walking to the microphone, Mr. Speaker, you called the roll. My point was that we wanted the 10-minute rule invoked, and I wanted to ask whether or not you would do so. Each of the members of this House is allowed to ask that 10 minutes be allowed to vote on the vote, and I so request, Mr. Speaker, on the amendment.

The SPEAKER. The Chair is not required to keep the roll call open for 10 minutes. The Chair is restrained from keeping it open longer than 10 minutes.

The gentleman, Mr. Richardson, had asked the Chair for an opportunity to verify the members and how they voted. The Chair gave the gentleman over 6 minutes in which to do that. Before the Chair closed the vote, he on three occasions asked, have all the members present voted? The Chair at that point then closed the vote.

Mr. RICHARDSON. You did not hear me, Mr. Speaker, but I addressed the Chair before you called for the final rollcall vote, Mr. Speaker.

The SPEAKER. Extracts from the Journal of the Senate which the clerk will read.

Mr. RICHARDSON. Mr. Speaker, I have asked a question. Mr. Speaker, no one addressed me, and I am asking that there be a 10-minute rule to vote on the last amendment, and I feel I have a right to that as a member of this House.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the majority leader. For what purpose does the gentleman rise?

Mr. RYAN. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. RYAN. Mr. Speaker, it is my understanding that for the gentleman to accomplish what he wants to accomplish, he should first put in a motion to reconsider the vote by which those amendments were defeated—

Mr. RICHARDSON. Mr. Speaker, I spoke before he went to the roll call, just like you do, and I am saying if you—

Mr. RYAN. Will the gentleman wait a minute until I am finished?

Mr. RICHARDSON. Well, I am telling you. I am saying that if there is going to be fairness given on this particular bill, then it seems to me that before he called out the vote, because your man does not operate the microphone and I cannot get to it does not mean that we are allowed not to speak on this floor. I am asking to be recognized and ask that there would be 10 minutes of vote on this particular amendment which is very important. There were other challenges that I had, and just because you refuse to listen to them, that is on you.

I ask that there be another rollcall vote, Mr. Speaker.

The SPEAKER. The Chair is unable to hear the gentleman.

Mr. RICHARDSON. Well, I will repeat myself, Mr. Speaker. All I ask is that we have another rollcall vote, Mr. Speaker, on the amendment.

Mr. A. K. HUTCHINSON. Mr. Speaker?

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

POINT OF ORDER

Mr. RICHARDSON. I was speaking. A point of order, Mr. Speaker. I never—a point of order, Mr. Speaker. I never got an answer, and I have a right. I have a point of order.

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. Mr. Speaker, I asked three times, and I have the right to have a rollcall vote because I am the one who originally asked whether or not the Speaker would leave the board open so we would have the right. As I was standing here and walked back as he called it, this microphone was off and I could not get the Speaker's attention. I asked that, Mr. Speaker, and I ask that I be given the opportunity to deal with other challenges that I had on the amendment.

The SPEAKER. The Chair feels that he gave the gentleman ample opportunity.

Mr. RICHARDSON. I have other challenges, Mr. Speaker, that I did not see, and I got them just as I looked through the chart.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. I move that this House do now—

The SPEAKER. Will the gentleman yield? There are some messages that the Chair should read across the desk.

SENATE MESSAGE

SENATE INSISTS ON NONCONCURRENCE IN HOUSE AMENDMENTS AND APPOINTED CONFERENCE COMMITTEE

The Senate informed that the Senate insists on nonconcurrency in House amendments to **SB 65, PN 1505**, and has appointed Messrs. ROMANELLI, LINCOLN and MOORE, a Committee of Conference to confer with a similar committee of the House of Representatives (already appointed), on the subject of the differences existing between the two houses in relation to said bill.

POINT OF ORDER

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

Mr. RICHARDSON. I ask for a point of order.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia for a point of order.

Mr. RICHARDSON. When I raised the point of order, you never answered, Mr. Speaker, on the point of order. I asked, Mr. Speaker, that I be given the right to have another rollcall vote on the White amendment because I was not given the opportunity to finish the challenges that I started on, and I have that right in this House, and I demand a rollcall vote then on whether or not we have a right to speak.

You operate this microphone and do not let people speak and then you expect people—you cannot see them. You all started the war; you all got it.

The SPEAKER. The Chair feels that he has presided under the rules of this House and gave the members, every member, all the opportunity to verify the roll. The Chair sees no reason to ask for an additional roll call on this amendment.

Mr. RICHARDSON. Is that your ruling, Mr. Speaker? Is that your ruling, Mr. Speaker?

The SPEAKER. That is the decision of the Chair.

RULING OF CHAIR APPEALED

Mr. RICHARDSON. I appeal the ruling of the decision of the Chair.

The SPEAKER. The question is on the decision of the Chair.

Mr. RICHARDSON. I would like to speak to the appeal of the Chair.

You are not allowed to preside, I do not think, Mr. Speaker. A point of order. On the question of the appeal, Mr. Speaker, I do not think you are allowed to preside.

The SPEAKER. Will the gentleman yield until the Chair puts the question? The House is entitled to know what the question is.

Mr. RICHARDSON. We are entitled to respect, too, but we are not getting it.

The SPEAKER. The members will please take their seats. Will the members please take their seats?

On the question of appealing the decision of the Chair, the Chair recognizes Mr. Richardson.

Mr. RICHARDSON. Mr. Speaker, it seems to me that the same Speaker whom we are appealing this decision on rose early on his feet and indicated that he was going to protect all and each and every one of the members here.

I as a member rose on my feet prior to the final rollcall vote on the White amendment and asked that we challenge names of those persons who were not in their seats. As a result, there was some time that elapsed. During that period of time that elapsed, I was standing in front of my seat, and as I walked back to the particular microphone in question—this one here—I asked that I be given an opportunity to challenge another name. That name happened to be Peterson. As a result, the guy who operates this machine up here would not turn on my microphone. I then yelled and asked whether or not I could be given an opportunity to speak directly to the fact that I would like to have the roll call open for whatever additional remaining time was left that adds up to 10 minutes, which is also in the rules of this House of Representatives. As a result of that, Mr. Speaker, you declared that I was out of order. You called the rollcall vote, and was I denied the right to speak.

On that point, Mr. Speaker, I feel that I have to appeal the ruling of the decision of the Chair, because I was not afforded the same opportunity as other members are allowed in this House of Representatives. I therefore ask that the question be put properly so we know which way we are voting - what does a vote, Mr. Speaker, in relationship to the appeal mean to sustain the Chair or not to sustain the Chair, and whether or not you have the right to preside when the Chair is being appealed to.

The SPEAKER. The Chair cites that part of rule 66 which is pertinent to the gentleman's question. "When, in the judgment of the Speaker..." The Chair repeats, and the Chair reads from the rule: "When, in the judgment of the Speaker, reasonable time has been allowed all members present in the House to vote (in no event shall such time exceed ten minutes) he shall ask the question: 'Have all members present voted?' After a pause, the Speaker shall lock the machine and instruct the Clerk to record the vote, and the Speaker shall announce the result of the vote." That is the procedure that the Speaker followed.

The question before the House is an appeal of the decision of the Chair. Those who vote to sustain the decision of the Chair will vote "aye"; those who—

Mr. RICHARDSON. What are you saying, Mr. Speaker?

The SPEAKER.—are opposed to the decision of the Chair will vote "no."

POINT OF ORDER

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

Mr. RICHARDSON. The point of order I raised before, Mr. Speaker, which was never answered.

The SPEAKER. It is the only point of order the Chair heard the gentleman make.

Mr. RICHARDSON. No. I will raise it again for you, Mr. Speaker, so you can hear it clearer. I am asking whether or not you still preside over an appeal on the question. If you do, Mr. Speaker, I ask that you cite me the rule that shows that on appeal you sit in ruling of the same appeal that we are appealing.

The SPEAKER. In response to the gentleman, the Chair has seen no objection to the Chair remaining in his position while an appeal has been taken—

Mr. RICHARDSON. I am objecting, Mr. Speaker. I am objecting, and I publicly voice the objection.

The SPEAKER. Will the gentleman yield until the Chair completes his response?

If the gentleman would notice, on the prior appeal the Chair did not vote and the Chair does not intend to vote on this appeal.

Mr. RICHARDSON. Yes, but you are using your influence, and I am asking that it not be used in order to make this decision.

The SPEAKER. If the Chair had influence, we would have been out for dinner.

Mr. RICHARDSON. Well, it shows that the members then have more insight than you.

The SPEAKER. Those in favor of sustaining the ruling of the Chair will vote “aye” —

Mr. RICHARDSON. Mr. Speaker, I still have not gotten a ruling on whether or not you are allowed to—

The SPEAKER. —opposed, “no.”

The following roll call was recorded:

YEAS—132

Anderson	Foster, Jr., A.	Letterman	Scheaffer
Arty	Fryer	Levi	Schmitt
Belardi	Gallen	Livengood	Serafini
Bennett	Gamble	Lynch, E. R.	Seventy
Bittle	Gannon	McCall	Shupnik
Bowser	Geesey	McClatchy	Sieminski
Brandt	Geist	McKelvey	Sirianni
Brown	George, C.	McVerry	Smith, E. H.
Burd	George, M. H.	Mackowski	Smith, L. E.
Burns	Gladeck	Manmiller	Spencer
Caltagirone	Goebel	Michlovic	Stairs
Cessar	Goodman	Miller	Steighner
Cimini	Grabowski	Moehlmann	Stewart
Clark, M. R.	Grieco	Mowery	Stuban
Cochran	Gruppo	Murphy	Sweet
Cornell	Halverson	Nahill	Swift
Coslett	Hasay	Noye	Taddonio
Cowell	Hayes, Jr., S.	O'Brien, B. F.	Taylor, E. Z.
Cunningham	Helfrick	O'Brien, D. M.	Telek
DeMedio	Hoeffel	O'Donnell	Thomas
DeVertter	Honaman	Perzel	Trello
DeWeese	Hutchinson, A.	Peterson	Vroon
DiCarlo	Hutchinson, W.	Piccola	Wass
Davies	Itkin	Pistella	Wenger
Dawida	Johnson, E. G.	Pitts	Wilson
Dietz	Kanuck	Polite	Wilt
Dorr	Klingaman	Pott	Wright, D. R.
Duffy	Knepper	Punt	Wright, Jr., J.
Durham	Kowalshyn	Pyles	Yahner
Fee	Kukovich	Reed	Yohn
Fischer	Lashingier	Rocks	Zeller

Fisher	Laughlin	Ryan	Zitterman
Foster, W. W.	Lehr	Salvatore	Zord

NAYS—18

Cappabianca	Earley	Knight	Petrarca
Chess	Gallagher	Kolter	Pievsky
Clark, B. D.	Gatski	Milanovich	Pratt
Cohen	Harper	Mullen	Taylor, F.
Dombrowski	Irvis		

NOT VOTING—46

Alden	Gray	Mrkonic	Shadding
Armstrong	Greenfield	Musto	Spitz
Austin	Hayes, D. S.	Novak	Street
Barber	Johnson, J. J.	Oliver	Wachob
Beloff	Jones	Pucciarelli	Wargo
Berson	Levin	Rappaport	Weidner
Borski	Lewis	Rhodes	White
Cole	McIntyre	Richardson	Williams
Dininni	McMonagle	Rieger	Zwinkl
Dumas	Madigan	Ritter	
Freind	Manderino	Rodgers	Seltzer,
Giammarco	Micozzie	Schweder	Speaker

The majority having voted in the affirmative, the question was determined in the affirmative and the ruling of the Chair was sustained.

SENATE MESSAGE

SENATE INSISTS ON NONCONCURRENCE IN HOUSE AMENDMENTS AND APPOINTED CONFERENCE COMMITTEE

The Senate informed that the Senate insists on nonconcurrence in House amendments to SB 188, PN 1553, and has appointed Messrs. ZEMPRELLI, STOUT and CORMAN, a Committee of Conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee), on the subject of the differences existing between the two houses in relation to said bill.

MOTION INSISTING UPON CONCURRENCE AND APPOINTMENT OF A CONFERENCE COMMITTEE

Mr. RYAN moved that the House insist upon Senate concurrence in House amendments to SB 188, PN 1553, and that a Committee of Conference be appointed.

On the question,

Will the House agree to the motion?

Motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House on SB 188, PN 1553: Messrs. A. C. FOSTER, BRANDT and FRYER. Ordered, That the clerk inform the Senate accordingly.

PARLIAMENTARY INQUIRY

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

Mr. MILLER. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. MILLER. Mr. Speaker, my apologies for interrupting. It has been a bit of a tenuous day, and I would like to clarify in my own mind the parliamentary procedure we just went through through the Speaker, if you do not mind, sir.

Is it my understanding that you entertained a motion by Mr. Richardson to appeal a ruling of the Chair? That is the vote we just took. Am I correct?

The SPEAKER. That is correct.

Mr. MILLER. Would you clarify something then for me, sir? Has it not been either the tradition or the rule of this House that for a challenge of the Speaker of the Chair, the Speaker appoint a Speaker pro tempore to hear that question, sir?

The SPEAKER. The gentleman, Mr. Richardson, also had raised that question prior, and the Chair indicated that he knew of no rule in this House that would dictate that. Various Speakers have done either on several occasions.

The Chair's position was that he would not and did not vote on either appeal of the Chair, on the early one today or on this one. So the Chair saw no problem with continuing to preside as long as he did not vote on the question.

Mr. MILLER. Thank you for clarifying that, sir.

SENATE MESSAGE

SENATE INSISTS ON NONCONCURRENCE IN HOUSE AMENDMENTS AND APPOINTED CONFERENCE COMMITTEE

The Senate informed that the Senate insists on nonconcurrence in House amendments to **SB 764, PN 1515**, and has appointed Messrs. ROSS, LINCOLN and HAGER, a Committee of Conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee), on the subject of the differences existing between the two houses in relation to said bill.

MOTION INSISTING UPON CONCURRENCE AND APPOINTMENT OF A CONFERENCE COMMITTEE

Mr. RYAN moved that the House insist upon Senate concurrence in House amendments to **SB 764, PN 1515**, and that a Committee of Conference be appointed.

On the question,

Will the House agree to the motion?

Motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House on **SB 764, PN 1515**:

Mr. GALLEN, Mrs. HONAMAN and Mr. HOEFFEL.

Ordered, That the clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE INSISTS ON NONCONCURRENCE IN HOUSE AMENDMENTS AND APPOINTED CONFERENCE COMMITTEE

The Senate informed that the Senate insists on nonconcurrence in House amendments to **SB 544, PN 1575**, and has appointed Messrs. O'PAKE, SCHAEFER and PRICE, a Committee of Conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee), on the subject of the differences existing between the two houses in relation to said bill.

MOTION INSISTING UPON CONCURRENCE AND APPOINTMENT OF A CONFERENCE COMMITTEE

Mr. RYAN moved that the House insist upon Senate concurrence in House amendments to **SB 544, PN 1575**, and that a Committee of Conference be appointed.

On the question,

Will the House agree to the motion?

Motion was agreed to.

APPOINTMENT OF COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a Committee of Conference on the part of the House on **SB 544, PN 1575**:

Messrs. D. M. FISHER, NOYE and MULLEN.

Ordered, That the clerk inform the Senate accordingly.

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, all remaining bills and resolutions on today's calendar will be passed over.

The Chair hears no objection.

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. Mr. Speaker, I rise to move that this House now adjourn until tomorrow morning at 11 o'clock.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. I was going to move to adjourn until 9 o'clock. Do you want to amend your motion, or shall I oppose yours and then put mine in?

Mr. RICHARDSON. No. You will probably have to oppose mine, because I am not amending anything.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, as a point of parliamentary inquiry, can I amend the motion of the gentleman, Mr. Richardson?

Mr. RICHARDSON. I am not accepting any amendments.

The SPEAKER. The gentleman, Mr. Richardson, was recognized for a point of order. The gentleman did not make his point of order; he made a motion which the Chair had not recognized him for.

ADJOURNMENT

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. I move that this House of Representatives do now adjourn until Wednesday, March 5, 1980, at 9:30 a.m., e.s.t.

Mr. RICHARDSON. Mr. Speaker, I am not going to let that happen. I am appealing the ruling, the decision, of the Chair, Mr. Speaker, because if you rule me out of order—I raised my point of order. There was never an answer to my point of order. I have a right to an answer to the point of order. If you are making a ruling, I say that I appeal the ruling, the decision, of the Chair.

The SPEAKER. The question before the House is the adjournment of the House.

Mr. RICHARDSON. I made a motion that you did not recognize—

The SPEAKER. That is not a debatable motion.

Mr. RICHARDSON. —so if you are not recognizing my motion, you have to rule my motion out of order, but you cannot tell me that you recognize Mr. Ryan without recognizing me.

The SPEAKER. It is not a debatable motion.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 6:09 p.m., e.s.t., the House adjourned.