

Legislative Journal

WEDNESDAY, MARCH 5, 1980

Session of 1980

164th of the General Assembly

No. 19

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:

O God and Father of the just, of Your infinite goodness direct the hearts of all of us in this legislature. Help us to deliberate and to make laws in accordance with Your will and for the advancement of justice and righteousness for all of the people of our Commonwealth. Protect us from the deceits of the world; let no pride of power betray us into the rejection of Your commandments. Grant that we seek to provide laws that are truly just and so provide for the best interests of all our people.

And dear Lord, give us patience. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The clerk of the Senate informed that the Senate has concurred in **HB 268, PN 2286; HB 1491, PN 1738; and HB 1865, PN 2307.**

SENATE MESSAGE

AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

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

HB 1847, PN 2948; and HB 2123, PN 2931.

The SPEAKER. The bills will appear on the calendar.

JOURNAL APPROVED

The SPEAKER. The Journal of Wednesday, December 12, 1979, is now in print.

Without objection, the Journal stands approved. The Chair hears none.

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal for Tuesday, March 4, 1980, will be postponed until printed. The Chair hears none.

BILLS SIGNED BY SPEAKER

The following bills, having been prepared for presentation to the Governor, were signed by the Speaker:

HB 268, PN 2286

An Act establishing the responsibilities and liabilities of ski area operators and skiers in the sport of skiing.

HB 1491, PN 1738

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

HB 1865, PN 2307

An Act making an appropriation to the Northeastern Pennsylvania Society for Crippled Children and Adults for the provision of services to crippled children and adults.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2344 By Representatives DININNI AND KOLTER.

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for abandoned and salvaged vehicles and salvors.

Referred to Committee on TRANSPORTATION, March 5, 1980.

No. 2345 By Representative GOEBEL.

An Act amending "The General County Assessment Law," approved May 22, 1933 (P. L. 853, No. 155), further providing for real estate levies in years following a change in the assessment ratio.

Referred to Committee on URBAN AFFAIRS, March 5, 1980.

No. 2346 By Representatives BURNS, GALLAGHER, O'DONNELL, MILLER, HARPER, COHEN, COWELL AND D. R. WRIGHT.

An Act making an appropriation to the Department of Education for certain bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1979.

Referred to Committee on APPROPRIATIONS, March 5, 1980.

No. 2347 By Representatives BURNS, GALLAGHER, O'DONNELL, MILLER, HARPER, COHEN, COWELL AND D. R. WRIGHT.

An Act making an appropriation to the Department of Education for certain bills incurred and remaining unpaid at the close of the fiscal period ending June 30, 1979.

Referred to Committee on APPROPRIATIONS, March 5, 1980.

No. 2348 By Representatives BURNS, GALLAGHER, O'DONNELL, MILLER, HARPER, COHEN, COWELL AND D. R. WRIGHT.

An Act amending the "General Appropriation Act of 1979," approved July 4, 1979 (No. 9A), further providing for certain payments on account of exceptional children.

Referred to Committee on APPROPRIATIONS, March 5, 1980.

No. 2349 By Representatives BURNS, GALLAGHER, O'DONNELL, MILLER, HARPER, COHEN, COWELL AND D. R. WRIGHT.

An Act amending the "General Appropriation Act of 1979," approved July 4, 1979 (No. 9A), further providing for subsidies on account of certain instructional and vocational education costs.

Referred to Committee on APPROPRIATIONS, March 5, 1980.

No. 2350 By Representatives J. L. WRIGHT, JR., B. F. O'BRIEN AND BURNS.

An Act for the purpose of providing a system for the collection and disposal of used oil for recycling; defining certain terms; prohibiting certain actions; ***.

Referred to Committee on MINES AND ENERGY MANAGEMENT, March 5, 1980.

LEAVES OF ABSENCE GRANTED

The SPEAKER. The Chair recognizes the majority whip.

Mr. S. E. HAYES. I request leaves of absence for Messrs. D. M. O'BRIEN, DINNINI, GANNON, FREIND, and Mrs. LEWIS for today's session.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, I request leave of absence for Mr. HOFFEL for today's session. I would like to add Mr. ZWIKL to the leave, who is ill today.

The SPEAKER. Without objection, leaves are granted.

MASTER ROLL CALL RECORDED

The SPEAKER. Members please come to the floor. The Chair is about to take the master roll. Those members in their seats may be recorded.

The following roll call was recorded:

YEAS—183

Table with 4 columns of names: Anderson, Armstrong, Arty, Austin, Barber, Fryer, Gallagher, Gallen, Gamble, Gannon, McCall, McClatchy, McIntyre, McKelvey, McMonagle, Ryan, Salvatore, Scheaffer, Schmitt, Schweder.

Table with 4 columns of names: Belardi, Bennett, Berson, Bittle, Borski, Bowser, Brandt, Brown, Burd, Burns, Caltagirone, Cappabianca, Cessar, Chess, Cimini, Clark, B. D., Clark, M. R., Cochran, Cohen, Cole, Cornell, Coslett, Cowell, Cunningham, DeMedio, DeVerter, DeWeese, DiCarlo, Davies, Dawida, Dietz, Dombrowski, Dorr, Duffy, Dumas, Durham, Earley, Fee, Fischer, Fisher, Foster, W. W., Foster, Jr., A., Gatski, Geesey, Geist, George, C., George, M. H., Gladeck, Goebel, Goodman, Grabowski, Gray, Greenfield, Grieco, Gruppo, Halverson, Harper, Hasay, Hayes, Jr., S., Helfrick, Honaman, Hutchinson, A., Hutchinson, W., Irvis, Itkin, Johnson, E. G., Johnson, J. J., Jones, Kanuck, Klingaman, Knepper, Knight, Kolter, Kowalyszyn, Kukovich, Lashinger, Laughlin, Lehr, Letterman, Levi, Levin, Livengood, Lynch, E. R., McVerry, Mackowski, Manderino, Manmiller, Michlovic, Micozzie, Milanovich, Miller, Moehlmann, Mowery, Mrkonic, Mullen, Murphy, Musto, Nahill, Novak, Noye, O'Brien, B. F., O'Donnell, Oliver, Perzel, Peterson, Petrarca, Piccola, Pievsky, Pistella, Pitts, Polite, Pott, Pratt, Pucciarelli, Punt, Pyles, Rappaport, Reed, Rhodes, Richardson, Rieger, Ritter, Rocks, Rodgers, Serafini, Seventy, Shupnik, Sieminski, Sirianni, Smith, E. H., Smith, L. E., Spencer, Spitz, Stairs, Steighner, Stewart, Street, Stuban, Sweet, Swift, Taddonio, Taylor, E. Z., Taylor, F., Telek, Thomas, Trello, Vroon, Wachob, Wargo, Wass, Wenger, White, Williams, Wilson, Wilt, Wright, D. R., Wright, Jr., J., Yahner, Yohn, Zeller, Zitterman, Zord, Seltzer, Speaker.

NAYS—0

NOT VOTING—13

Table with 4 columns of names: Alden, Beloff, Dininni, Freind, Giammarco, Hayes, D. S., Hoeffel, Lewis, Madigan, O'Brien, D. M., Shadding, Weidner, Zwinkl.

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

REPORT OF COMMITTEE OF CONFERENCE PRESENTED

Mr. BRANDT presented the Report of the Committee of Conference on SB 316, PN 1612.

The SPEAKER. The report will be laid over for printing under the rules.

WELCOME

The SPEAKER. The Chair welcomes to the balcony Mr. and Mrs. Ross Shopner of Macungie and Mrs. William Shenkwieler of Corning, who are here today as the guests of Mr. Zeller.

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 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. Mr. Speaker, amendment A5480 has now been circulated and I will call that up.

The SPEAKER. The Chair recognizes Mr. Street to explain his amendment.

Mr. STREET. Mr. Speaker, this amendment is A5480. 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 90 consecutive days through no fault of his or her own, individually, Mr. Speaker, this amendment is simply asking that a person—and it goes again to the jobs issue of HB 2044, and it goes to if a person—who has been a registrant of the Pennsylvania Bureau of Employment Security and who has not been employed in one job or more for more than 90 consecutive days through no fault of his own as an individual, we are asking that this particular amendment be attached—

The SPEAKER. For the information of the gentleman, Mr. Street, part of the confusion is caused by the pages who are circulating Mr. Street's amendment.

Mr. STREET. Can the House be at ease until the pages get finished?

The SPEAKER. The Chair is afraid we do not have that much time.

Mr. STREET. Okay.

The SPEAKER. The Chair would hope the gentleman would proceed, and maybe his words will soothe the voices of his peers.

Mr. STREET. I want to try to wake up some of us. We had a short night.

The Pennsylvania Bureau of Employment Security and this, if I can give you some facts here around these job shortages, I think it is very important that people understand that there is a national study that brought about this particular amendment, that was done by the United States Department of Labor. It was a drafted report for Congressman Wagner. From that report came this partic-

ular amendment that I have, and that study simply showed that 53 percent of the jobs that were assigned through BES were short-term jobs. They lasted for less than 6 months, and I have copies of the study available for anyone who wants them.

The placement is very important, and this goes right to the heart of the amendment. The placement of GA recipients was 4.1 percent. Only 4.1 percent of GA recipients that were registered with the Pennsylvania Bureau of Employment Security were ever given a job. With this amendment, what this does it sort of protects those people who have been diligently seeking jobs and participating in all of the programs to be permitted to remain on some type of program that would deal with assistance if, in fact, they are not employed through no fault of their own, and I would like, at this time, to ask Mr. Punt if he would support an amendment of that nature; and, if so, why, and, if not, why?

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

Mr. PUNT. Yes, Mr. Speaker. I oppose the amendment because it goes against the basic intent of HB 2044, and, as I read Mr. Street's amendment, this would allow, if not all, the overwhelming majority of the 81,000, which would be placed in the transitional category, to remain on the rolls of public assistance. I oppose the amendment for those reasons.

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

Mr. STREET. Will the gentleman stand for a brief interrogation?

The SPEAKER. The gentleman indicates he will stand for interrogation.

Mr. STREET. Mr. Speaker, with this study that I have, are you familiar with the study that I have used my figures from from the United States Department of Labor, a drafted report for Congressman Wagner? Are you familiar with that study that dealt with the efficiency of BES on the national level?

Mr. PUNT. Mr. Speaker, this is your amendment, and you have not shared with me any information regarding this amendment. So I would have to say no.

Mr. STREET. I just thought maybe in your diligent research, Mr. Speaker, that maybe you did in fact come across some information that Mr. Street may not have. I was not interrogating you about the information. I was simply asking the question as to whether you were familiar with this, so that I would know how to direct my questions from here out.

You are not familiar with the study? Okay.

Then what this amendment says, Mr. Speaker, is—and I want to make sure we understand. It says—a person who has been a registrant of the Pennsylvania Bureau of Employment Security and who has not been employed in a job for more than 90 consecutive days—You have the amendment there, right?—and you have a problem, Mr. Speaker, with that type of person receiving assistance?

Mr. PUNT. If they are able-bodied, yes.

Mr. STREET. No, what I am asking you is: A person who is available—the assumption is by the amendment that they are able-bodied—and they have not been employed through no fault of their own. What I am asking you is, do you have a problem with people who have participated in this particular program, to register with BES, seeking and looking for jobs, remaining on general assistance, under an amendment of this nature, because they just cannot find work?

Mr. PUNT. Mr. Speaker, I have already answered your question. Yes, I do have a problem with that. I am opposed to this amendment because all 81,000 could conceivably still remain on general assistance with the way that you have this amendment worded.

Mr. STREET. This amendment, Mr. Speaker, would not permit an individual, so that you understand it, to just remain on assistance. This amendment, Mr. Speaker, said a person, okay, who is a registrant. You have to be registered with BES before this amendment would affect you, right?

Mr. PUNT. You have to be registered right now.

Mr. STREET. All right, are all the 80,000 or 81,000 people whom HB 2044 would affect registered with BES?

Mr. PUNT. The overwhelming majority already are, sir.

Mr. STREET. Then if BES has 64,000 jobs, how come they are not working?

Mr. PUNT. I would suggest that you ask BES that and not me.

Mr. STREET. Mr. Speaker, I am not here to deal with any type of facetious remarks. I am trying to get some information, and it seems like to me, as the prime sponsor of the bill, who used as a basis of the bill the statistics from BES, you would understand that the people who are registered there have not been sent out, unless you are telling me that people who are registered were sent out for jobs and they refused a job. Is that what you are saying?

Mr. PUNT. Mr. Speaker, I have a basic belief that people have an obligation to find work for themselves. I also have a further basic belief that government is not an employment-agency business. Again, as I read your amendment, the 81,000 able-bodied recipients would be eligible, if this amendment would pass, to remain on general assistance, and I am opposed to that.

Mr. STREET. Can you explain the reading of my amendment that makes you come to that conclusion?

Mr. PUNT. A person has been a registrant of the Pennsylvania Bureau of Employment Security. At this point the 81,000 able-bodied welfare recipients, under general assistance, by law, must register with BES for availability for jobs.

Mr. STREET. And that is absolutely true, and by law, Mr. Speaker, if those people register and are sent out on a job and refuse that job, they no longer qualify for general assistance. Is that correct, by law?

Mr. PUNT. That is correct, and I am glad you agreed with what I just said, that all 81,000 are or have to register.

Mr. STREET. What I am saying to you is that all 81,000 are registered and if, in fact, there are 64,000 jobs available, then that should tell us something, that those jobs must not be available at the entry level. And I say that because the study shows that the placement of GA recipients from BES was 4.1 percent. Fifty-three percent of the jobs were short-term jobs, 6 months or less. That is very important to this amendment, Mr. Speaker, because again I go to the very basis and the formula that you used in the drafting of HB 2044 to come to the figure of \$34 million, which will be saved in the first year. If, in fact, 53 percent of the jobs were short-term jobs and lasted less than 6 months, the formula that you have used to come to the savings of \$34 million indicates, and all that could possibly indicate is that all 80,000 of those individuals who are on GA assistance have worked on a temporary basis. Because when we use the money—let me finish—to calculate the number of recipients that will be taken off, and I am using your figure, 80,000 recipients—let me finish. I am still speaking to my amendment, if you please. My amendment is going to the very basis of the bill. All I am asking to happen is that people who have been registered, and you understand my amendment, and I am saying your answer contradicts the basis of the figures that the savings of HB 2044 will bring about, if we pass it. And I do not understand, Mr. Speaker, why you will not deal with that. If we are only going to save \$34 million in the first year and we are going to take off 80,000 recipients, then the average recipient stays on general assistance for 2 1/2 months. Is that correct?

Mr. PUNT. No, Mr. Speaker, and I do not see how that has anything to do with this amendment.

Mr. STREET. Well, this amendment, again, 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 90 consecutive days—for more than 90 consecutive days—and what I am saying to you is that if, in fact, your figures are correct in coming to the \$34 million and taking those people off, and the average person only stays on for 90 days, 2 1/2 months, then the people who are on employment would have been employed for at least 90 consecutive days, and is that not correct?

Mr. PUNT. Mr. Speaker, I oppose your amendment.

Mr. STREET. Why do you oppose my amendment? I mean, I am bringing out points based on the very premise.

The SPEAKER. Will the gentleman yield?

For what purpose does Mr. Letterman rise?

Mr. LETTERMAN. I would like to speak on the amendment, please.

The SPEAKER. Has the gentleman, Mr. Street, completed his remarks?

Mr. STREET. Yes, I have.

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

Mr. LETTERMAN. Mr. Speaker, I think that all of us in this House are intelligent enough to read the amendment

and understand it. I do not think we need it explained more than just to tell us what it does. I think we need to be questioned. Some of us have our ideas of what we should do with people on general assistance; others have their ideas. I do not see why we cannot just put the amendment up. If we believe in it, we will vote for it; if we do not, we will not.

I think that this amendment absolutely cuts against the grain of what most of us who have signed that piece of legislation believe. We believe that these people are depending on the government to give them a job and find it for them, mostly because they are probably too damned lazy to go out and look for one for themselves. I think that it is about time that we, in this House, quit making a mockery on this floor with these amendments, and put them up, either vote them up or vote them down, and get it over with once and for all. Thank you.

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

Mrs. HARPER. Mr. Speaker, I resent those remarks by Mr. Letterman because I know a lot of people who are not too lazy to get out and look for a job. They are looking for jobs everyday. They cannot find jobs.

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

Mr. ZELLER. Mr. Speaker, I do believe that we are all intelligent enough to know and understand the amendment. As I explained yesterday, in Act 1, which was signed by the Governor this year, in Mr. Street's amendment he states nothing about the fact that the person got involved in a vocational-training program, because a person could be registered with the Pennsylvania Bureau of Employment Security, but that does not say whether the person is qualified for a job. The point is, if the person is not under the age of 40, they can go through a 2-year vocational-training program and become eligible for work, and if there is no work, then they would become eligible for support. These are the things that they are talking around in circles here, and he never got to that point.

So the thing that I am getting at, I think that we all are intelligent enough to know what is going on, and, as Mr. Letterman said, I think it is time to get on with it; we are wasting a lot of valuable time, and all we are doing is hearing a lot of rhetoric and I think it is time to knock it off.

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

The following roll call was recorded:

YEAS—48

Barber	Earley	Laughlin	Pievsky
Bennett	Gallagher	McIntyre	Pucciarelli
Berson	Gatski	Manderino	Rappaport
Cappabianca	Goodman	Milanovich	Rieger
Chess	Greenfield	Miller	Rodgers
Clark, B. D.	Harper	Mrkonic	Stewart
Cohen	Hutchinson, A.	Mullen	Street
DeMedio	Irvis	Murphy	Sweet
DeWeese	Itkin	Novak	Trello
Dawida	Knight	O'Donnell	Wachob
Dombrowski	Kolter	Oliver	White

Dumas Kukovich Petrarca Williams

NAYS—115

Arty	Gamble	McVerry	Sieminski
Austin	Geesey	Mackowski	Sirjanni
Belardi	Geist	Manmiller	Smith, E. H.
Bittle	George, C.	Michlovic	Smith, L. E.
Bowser	George, M. H.	Micozzie	Spencer
Brandt	Gladeck	Moehlmann	Stairs
Brown	Goebel	Musto	Steighner
Burd	Grabowski	Nahill	Stuban
Burns	Grieco	Noye	Swift
Caltagirone	Gruppo	O'Brien, B. F.	Taddonio
Cessar	Hasay	Perzel	Taylor, E. Z.
Cimini	Hayes, Jr., S.	Peterson	Taylor, F.
Clark, M. R.	Helfrick	Piccola	Telek
Cochran	Honaman	Pistella	Thomas
Cole	Hutchinson, W.	Pitts	Vroon
Cornell	Johnson, E. G.	Polite	Wargo
Coslett	Kanuck	Pott	Wass
Cowell	Klingaman	Pratt	Wenger
Cunningham	Knepper	Punt	Wilson
DeVerter	Kowalshyn	Pyles	Wilt
Davies	Lashingier	Ritter	Wright, D. R.
Dietz	Lehr	Rocks	Wright, Jr., J.
Duffy	Letterman	Ryan	Yahner
Durham	Levi	Salvatore	Zeller
Fee	Livengood	Scheaffer	Zitterman
Fischer	Lynch, E. R.	Schweder	Zord
Fisher	McCall	Serafini	
Foster, W. W.	McClatchy	Seventy	Seltzer,
Foster, Jr., A.	McKelvey	Shupnik	Speaker
Gallen			

NOT VOTING—33

Alden	Fryer	Jones	Rhodes
Anderson	Gannon	Levin	Richardson
Armstrong	Giammarco	Lewis	Schmitt
Beloff	Gray	McMonagle	Shadding
Borski	Halverson	Madigan	Spitz
DiCarlo	Hayes, D. S.	Mowery	Weidner
Dininni	Hoeffel	O'Brien, D. M.	Yohn
Dorr	Johnson, J. J.	Reed	Zwilk
Freind			

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

WELCOME

The SPEAKER. The Chair welcomes to the balcony Scout Troop No.93, of the St. Philomena Church, Lansdowne, Pennsylvania, and their leader, Cathy Zepka. They are here today as the guests of Mr. Micozzie.

PARLIAMENTARY INQUIRY

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

Mr. STREET. Mr. Speaker, I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. STREET. Is it or is it not true that the rules of this House permit any member to use those rules to best further his or her objectives in terms of drafting amendments in dealing with legislation?

The SPEAKER. So long as it does not take away from the rights of the other members of this House.

Mr. STREET. That is what I do not understand. Can you explain to me "taking away the rights of other members"?

The SPEAKER. The gentleman has a right to debate his amendments; the other members have a right not to listen to the debate.

Mr. STREET. Can you point out in the rules where they say that members have a right not to listen to anything that is done on the floor of this House? Do the rules project that?

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

Mr. STREET. I would like to know what rule gives members the right not to participate and listen on the floor of the House. That is all. You said that the rules say that. I want to know what rule, and I will shut up. Point it out in the constitution, and I will shut up. No problem, I have no problem with the constitution. I have no problem.

The SPEAKER. The gentleman, Mr. Street, is entitled to defend his amendments to the utmost. Other members of this House have a right not to agree with Mr. Street or not to debate with Mr. Street. They have a right to vote for or against the amendments offered by Mr. Street. If, however, they are in their seats, under the rules of the House, they must vote on the issue before the House. But there is nothing in the rules that says they must listen to the gentleman.

Mr. STREET. Thank you. Follow up point. Parliamentary inquiry.

Do I or do I not have the right to discuss my amendment at length as long as I am discussing the content of that amendment, by the rules of this House?

The SPEAKER. As long as the gentleman's remarks are germane, and the majority of the members of this House permit him to continue, the gentleman is in order and may continue.

Mr. STREET. Thank you, Mr. Speaker.

The SPEAKER. Does the gentleman have additional amendments to send?

Mr. STREET. Yes, I have 480 more.

The SPEAKER. One at a time will be sufficient.

Mr. STREET. Thank you. I would like a point of personal privilege.

The SPEAKER. Will the gentleman send his amendment to the desk?

Mr. STREET. Mr. Speaker, will you pass over for 1 minute to someone else and come back?

On the question recurring,

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

Mr. STEWART offered the following amendment:

Amend Sec. 1 (Sec. 432), page 2, by inserting between lines 27 and 28 (G) Any person who is ineligible for Unemployment Compensation and whose income falls below the poverty level as a result of a natural disaster.

On the question,

Will the House agree to the amendment?

AMENDMENT WITHDRAWN TEMPORARILY

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Stewart.

Mr. STEWART. Thank you, Mr. Speaker. If I might indulge the House, could I withdraw temporarily this amendment and pass onto another, temporarily.

The SPEAKER. Does the gentleman from Montgomery, Mr. Gladeck, have an amendment to offer?

The gentleman, Mr. Stewart, formally withdrew his amendment, did he?

Mr. STEWART. Temporarily.

The SPEAKER. Temporarily. The Chair thanks the gentleman.

On the question recurring,

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 21, by removing the period after "situation" and inserting as determined by the department after consultation with a practitioner of the healing arts. The department shall determine eligibility within thirty days from the date of application.

On the question,

Will the House agree to the amendment?

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

Mr. GLADECK. Thank you, Mr. Speaker. What this amendment does is to, basically, on line 20, section C, define the term "chronically needy." The bill provides for a person who has a serious physical or mental handicap which prevents him or her from working in an employment-type situation. This amendment further defines that section and adds the language that it must be determined by the department after a consultation with a practitioner of the healing arts.

In reference to what Mr. Street had said yesterday to me, I have the language that the department shall determine its eligibility within 30 days from the date of the application. What that does actually is that it says if an individual who would be receiving a transitionally needy check, the department would have to determine whether or not he had a serious physical or mental impairment that would prohibit him from seeking employment. And this way, within the 30-day period, they would have to make that determination so that we would know, and that person would not theoretically go without a check if they were physically or mentally disabled.

I certainly would appreciate your support of this amendment. Thank you.

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

Mr. PUNT. Yes, Mr. Speaker, I support this amendment.

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

Mr. WHITE. Mr. Speaker, I am sorry that I was transgressing the rules of the House by engaging in private quiet dialogue with my colleague, Mr. Oliver, and I would like for the maker of the amendment to again explain to the House the intent and purpose of this amendment.

The SPEAKER. The Chair recognizes Mr. Gladeck.

Mr. GLADECK. Mr. Speaker, the intent of the amendment is very simple. In the bill it defines a person—one of the definitions of the term “chronically needy” is that a person—who has a serious physical or mental handicap which prevents him or her from working in an employment-type situation. That is an open-ended proposition. What one person feels a mental handicap and what I might feel is a mental or physical handicap may very well be two different things; so, what I have done is, I have added the language that would state that the department would have to consult basically with a licensed physician, a practitioner of the healing arts, which is a language used in the Medical Practices Act. That way, if a person had a mental or physical handicap, he certainly would be able to outline such a handicap to the department and that person would then of course be able to receive as chronically needy; but the problem, as I understand it, that was addressed by Mr. Street yesterday on the floor when we were discussing my previous amendment, is that if an individual applies for general assistance, he would receive a one-time check under the transitionally needy phase, but if the department did not make that determination within 30 days, he theoretically would be cut off assistance and, even if he did have a physical or mental impairment that was legitimate, he would not receive a check after the 30-day period elapsed, which would be the transitionally needy period.

Mr. WHITE. This would come about as a result of the department not issuing a ruling with regard to whether or not this person actually had this particular handicap?

Mr. GLADECK. Basically. You see, what I am trying to do with adding the language that would say that the department would have to determine eligibility within 30 days, we are mandating that the department must—if I come in and say that I have a physical impairment - I have a bad back, say - and I go to a doctor and I get a note to that effect, and I have the doctor call the income maintenance worker at the department of public welfare, it would say basically that the department should make a determination and must make that determination within 30 days. So if that person then legitimately does have an impairment, he or she would not go beyond the 30-day period without being classified as chronically needy. Now, if they did go beyond the 30-day period, then it is my understanding that in using this language, they would then be able to use any appeal procedures within the Department of Public Welfare stating that they had not met the responsibilities under the law, and during that appeal process, they would be able to continue to receive assistance.

Mr. WHITE. Another question, Mr. Speaker: It says that the department after consulting with the practitioner of the healing arts - M.D's, osteopaths?

Mr. GLADECK. Yes.

Mr. WHITE. Does that necessarily have to be the examining physician? Suppose I suffer from a physical disability and I get a letter from my attending physician stating such, and I give that letter to the income maintenance worker; the income maintenance worker then passes that on to whomever. The department then takes the letter, the documentation that I offered and makes a determination, or does the department simply hand that over to another doctor, ask his opinion, and rest with the decision of that particular doctor?

Mr. GLADECK. No, I would interpret it that if I, as an applicant, bring a letter from my personal physician stating that I have a physical or mental impairment, that the department should, it says, consult with a practitioner of the healing arts. It does not say in the amendment that it must be someone that the department chooses. I would think that your personal physician would suffice, because if a practitioner of the healing arts goes on record and says that you have a physical impairment, then he would run the risk of violating his code of ethics, I would think, if he would falsify that document.

Mr. WHITE. Well, my concern is not so much with the physician that issues that particular statement or that verifies someone's particular handicap; my concern is whether or not the department will be making an independent decision, that is, analyzing what the doctor has given them in writing by passing it on to other consultants who work with the department and who will make a determination simply on paper. Or whether or not the department will seek to verify that physical disability by recommending another physician, requiring that client to seek another medical opinion, any number of ways that they could possibly get around simply going by what the attending physician says. Do you understand what I am saying?

Mr. GLADECK. Yes, I do. I would think, as I read it, the intent of it is basically that if I, as a potential applicant or recipient, apply for public assistance and I have a physical impairment that I believe would qualify me under section C under the chronically needy category, then if I bring you some sort of documentation of that handicap, I would think that the intent of the amendment is that the department would accept that, and if they had to verify it, they would call that physician, and that physician's word, the personal physician's word, would be what the department would go on. I do not think that it requires more, and certainly the wording in the section in the bill as it is currently drafted makes it much more open-ended and there is a much greater possibility of fraud than there is with the amendment.

Mr. WHITE. Thank you, Mr. Speaker. Thank you. On the amendment, Mr. Speaker.

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

Mr. WHITE. Mr. Speaker, I would like to support the Gladeck amendment. I think that as bad as the rest of this

bill is that this is one provision that I think would work to the benefit of the general assistance recipients in this Commonwealth. And I thank the indulgence of the House, Mr. Speaker.

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

Mr. RITTER. Mr. Speaker, would Mr. Gladeck consent to a brief interrogation?

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

Mr. RITTER. Mr. Speaker, in the bill it talks about a person who has a serious physical or mental handicap and your amendment talks about "as determined by the department after consultation with a practitioner of the healing arts." Mr. Speaker, you already said that you are talking about an M.D. and an osteopath. Would you also be talking in the terms of healing arts about a chiropractor?

Mr. GLADECK. No, sir. Mr. Speaker, it is defined in the Medical Practices Act that the practitioner of the healing arts is the legal language that has been used to describe medical doctors, M.D.'s and osteopaths. They are the only two categories that will be included under the term "practitioner of the healing arts." That is why that language was inserted.

Mr. WHITE. Mr. Speaker, would you also include a psychiatrist under your definition?

Mr. GLADECK. A psychiatrist, yes. He is an M.D., generally.

Mr. RITTER. Mr. Speaker, the reason I am doing that is because the bill talks about being eligible for assistance if you have a serious physical or mental handicap. I agree with Mr. White. The amendment is going to narrow it down or at least eliminate some of the possibility of abuse, but I am concerned that by just using the words "a practitioner of the healing arts" that we may, in fact, be excluding some professions which are now included in terms of coverage under Blue Cross and Blue Shield, under coverage of medical insurance, and even though I perhaps do not believe in some of those categories, for instance, chiropractic, there are many medical insurance policies which allow you to be paid for being treated by a doctor or chiropractor and I am concerned about whether or not that is excluded. According to Mr. Gladeck, it is excluded. So that person's determination would not count.

I am concerned about whether or not a psychiatrist is, in fact, definitely considered a practitioner of the healing arts. Mr. Gladeck says they are, and I wanted to make sure that that was on the record, because if we are talking about a mental illness, with the conversation between Mr. White and a family physician, I am not so sure that a family physician could certify that a person was mentally ill. I wish I had a better definition of what it is we are attempting to do. I would like to support the amendment, too, but I am concerned about the exclusion of a couple of areas, and perhaps some further debate will clarify that. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I, too, have the same reservations about the definition of the words "healing arts," and I am pleased to hear Mr. Gladeck say that in his opinion it would cover all M.D.'s, and, of course, in order to be a psychiatrist you must first be an M.D. So if his definition is accurate—and I believe it to be—then psychiatrists would be covered under this definition.

I am going to support the amendment on the same basis that I made the argument yesterday, that if we are talking about sharpening definitions and honing points down so that there be no question of what we mean, then this, of course, does that. This makes certain that the department does not have some bureau clerk make a decision about a serious mental or physical ailment, and I think it is an improvement of what I consider to be not a very good bill, but I think it does improve it, and I am going to support it and I urge the members on this side of the aisle to support the amendment. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—164

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

NAYS—1

Zord

NOT VOTING—31

Alden	Freind	Jones	Rhodes
Armstrong	Gannon	Lewis	Richardson
Beloff	Giammarco	McClatchy	Shadding
Berson	Greenfield	McMonagle	Spitz
Burd	Halverson	Madigan	Weidner
DiCarlo	Hayes, D. S.	Mowery	Williams
Dininni	Hoeffel	O'Brien, D. M.	Zwikl
Dorr	Johnson, J. J.	Reed	

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

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Butler, Mr. Burd.

Mr. BURD. Mr. Speaker, my switch was inoperative on that last vote. I would like to be recorded in the affirmative.

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

WELCOME

The SPEAKER. The Chair would like to present to the House two ladies, Tomi Crofut, who is the speaker of the House of the Florida Silver Haired Legislature, and Ruth Tucker, who is chairman of the Silver Haired Legislature Planning Committee for Pennsylvania, who are here today as the guests of Mr. Miller.

CONSIDERATION OF HB 2044 CONTINUED

On the question recurring,

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

Mr. STEWART offered the following amendment:

Amend Sec. 1 (Sec. 432), page 2, by inserting between lines 27 and 28 (G) Any person who is ineligible for Unemployment Compensation and whose income falls below the poverty level as a result of a natural disaster.

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Stewart.

Mr. STEWART. I am concerned that HB 2044 in its present form, if passed and becomes law, will exclude a group of people that I have encountered through experience with the natural disaster, who have received public assistance, general assistance, for a temporary time due to displacement because of the natural disaster.

The amendment addresses itself to those people who are ineligible for unemployment compensation primarily because they are self-employed and whose income drops radically and falls below the poverty level because of the effect of a natural disaster.

During the 1977 flood, a lot of small businessmen, self-employed people, who had their inventories wiped out and store fronts wiped out, had nothing to fall back on other than insurance policies and things like that, except for general assistance, until they got back on their feet, cleaned up, and back in business. I just want to make sure with this amendment that those people, none of whom right now is included in the 81,000 or 84,000 whom we are talking about—I want to make sure—that in the future the language is clear in the law that these people will not be without some sort of general assistance if they are affected by a natural disaster.

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

Mr. PUNT. Mr. Speaker, under the present law, if, in the event of a natural disaster, many of these individuals are automatically eligible for different types of aid, such as, food stamps and medical assistance and social services. In addition, as we have always done in the past—and I know we will continue to do so in the future—the state as well as the Federal Government has always provided monetary assistance and other forms of aid for these individuals in the event of a natural disaster. I do not feel it is necessary to have this stipulation amended into the Welfare Code. I, therefore, oppose the amendment.

The SPEAKER. The Chair recognizes the gentleman from Cambria, Mr. Stewart.

Mr. STEWART. I realize, again from experience, that there are many state and Federal programs that come into play after a natural disaster. However, again from experience, I found out that a lot of things in the law now have to be circumvented because the interpretation of certain laws on our books now is such that they do not fit the category of a natural-disaster situation. I would rather have it clear in the Welfare Code, if HB 2044 becomes law, that in the event of a natural disaster anywhere in the state, there will be no question at all about who is eligible for these benefits, and I urge the passage of my amendment. Thank you.

On the question recurring,

Will the House agree to the amendment?

The following roll call was recorded:

YEAS—90

Austin	Gallagher	McIntyre	Rodgers
Barber	Gamble	McKelvey	Schmitt
Bennett	Gatski	Mackowski	Schweder
Borski	George, C.	Manderino	Seventy
Brown	George, M. H.	Michlovic	Shupnik
Caltagirone	Goodman	Milanovich	Steighner
Cappabianca	Grabowski	Mrkonic	Stewart
Chess	Gray	Mullen	Street
Clark, B. D.	Harper	Murphy	Stuban
Clark, M. R.	Hasay	Musto	Sweet
Cochran	Hutchinson, A.	Novak	Taylor, F.
Cohen	Irvic	O'Brien, B. F.	Telek
Cole	Itkin	O'Donnell	Trello
Cowell	Johnson, J. J.	Oliver	Wachob
DeMedio	Klingaman	Petrarca	Wargo
DeWeese	Knight	Pievsky	Wass
Dawida	Kolter	Pistella	White
Dombrowski	Kukovich	Pratt	Williams
Duffy	Laughlin	Pucciarelli	Wright, D. R.

Dumas	Letterman	Rappaport	Yahner
Earley	Levin	Rieger	Zeller
Fee	Livengood	Ritter	Zitterman
Fryer	McCall		

NAYS—80

Anderson	Gallen	McVerry	Sieminski
Arty	Geesey	Manmiller	Sirianni
Belardi	Geist	Micozzie	Smith, E. H.
Bittle	Gladeck	Miller	Smith, L. E.
Bowser	Goebel	Moehlmann	Spencer
Brandt	Grieco	Nahill	Stairs
Burd	Gruppo	Noye	Swift
Burns	Halverson	Perzel	Taddonio
Cessar	Hayes, Jr., S.	Peterson	Taylor, E. Z.
Cimini	Helfrick	Piccola	Thomas
Cornell	Honaman	Pitts	Vroon
Coslett	Hutchinson, W.	Polite	Wenger
Cunningham	Johnson, E. G.	Pott	Wilson
DeVerter	Kanuck	Punt	Wilt
Davies	Knepper	Pyles	Wright, Jr., J.
Dietz	Kowalshyn	Rocks	Yohn
Durham	Lashinger	Ryan	Zord
Fischer	Lehr	Salvatore	
Fisher	Levi	Scheaffer	Seltzer,
Foster, W. W.	Lynch, E. R.	Serafini	Speaker
Foster, Jr., A.	McClatchy		

NOT VOTING—26

Alden	Freind	Lewis	Rhodes
Armstrong	Gannon	McMonagle	Richardson
Beloff	Giammarco	Madigan	Shadding
Berson	Greenfield	Mowery	Spitz
DiCarlo	Hayes, D. S.	O'Brien, D. M.	Weidner
Dininni	Hoeffel	Reed	Zwinkl
Dorr	Jones		

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

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

Mr. WHITE. Yes, Mr. Speaker, but I am awaiting the call for the reconsideration motion on a previous amendment to determine when my other amendments will be offered.

AMENDMENTS WITHDRAWN

The SPEAKER. Is the gentleman, Mr. Street, ready to go ahead with his amendment?

Mr. STREET. Mr. Speaker, on review of my amendments and in view of the amendment that was put in by Mr. Gladeck, a number of my amendments can be withdrawn because of the medical definition. I have a number of amendments. I am sure some of you will be interested in that, and if I can have several minutes to separate those that I will withdraw from those that I will continue to push, I would appreciate it.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Richardson. Does the gentleman have any amendments he wants to offer? When the gentleman is ready, he is in order.

On the question recurring,

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

Mr. RICHARDSON offered the following amendment:

Amend Sec. 1 (Sec. 432), page 2, line 9, by striking out "medicaid" and inserting economic

On the question,

Will the House agree to the amendment?

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

Mr. RICHARDSON. Mr. Speaker, I rise to ask for support on this amendment. This amendment changes page 2, line 9, by striking out "Medicaid" and inserting the word "economic." The reason for this amendment, Mr. Speaker, is the fact that I do not believe that the situation that we are involved in, particularly with this bill, is the direct cause of Medicaid, but is the direct cause of the economics, that we are dealing with economics, and it would change the language and make a situation by which persons who are on general assistance now in the GA category from being taken off the welfare rolls. We believe it is an economical question; that the economics involved are solely the reasons why this bill has been instituted in the first place and that people cannot exist on the money that they are receiving now, and that it would seem to me that the best attitude would be to approach this in a realistic and logical way. The attempts that have been made specifically on this particular amendment is to try and get people to discuss how we can begin to change some of the attitudes in this very room, the attitude of having people look at the fact that the economics are the reasons why we are here today debating this bill. Economics should point out the fact that we have, in the Commonwealth of Pennsylvania, including those in Philadelphia and all registrations that have been placed at this point, 609,159 persons who have registered—

Mr. IRVIS. Mr. Speaker, will the gentleman yield for a moment?

The SPEAKER. Will the gentleman, Mr. Richardson, yield?

Mr. RICHARDSON. Yes, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, through no fault of the gentleman, Mr. Richardson, whoever drew this amendment drew it incorrectly. The amendment says that it will strike out, on page 2, line 9, the word "medicaid" in the bill. There is no such word on line 9. Obviously the amendment was meant to strike out the word "medical." So technically, the amendment is in error, and ought to be redrawn, and the gentleman is so advised.

Mr. RICHARDSON. Thank you, Mr. Speaker, and I will have it done right away.

AMENDMENT WITHDRAWN

The SPEAKER. The gentleman, Mr. Richardson, is withdrawing amendment No. 4473, is that correct?

Mr. RICHARDSON. Yes, Mr. Speaker.

On the question recurring,

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

Mr. RICHARDSON offered the following amendment:

Amend Sec. 2, page 3, line 17, by striking out "beyond the six-month implementation period"

On the question,

Will the House agree to the amendment?

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Richardson, for an additional amendment.

Mr. RICHARDSON. Yes, Mr. Speaker, this amends section 2, page 3, line 17, by striking out "beyond the six-month implementation period."

The purpose of this amendment, Mr. Speaker, speaks to the fact that those persons who fall under this transitionally needy program that has been put in this bill and speaks directly to the fact that we believe that if we strike out beyond the 6-month implementation period, we revert back to existing law. We believe that recipients, as long as they maintain the eligibility, should, in fact, remain on assistance. This, in fact, meets the heart of the bill in relationship to the problems that we have been having. I do not feel that we can realistically talk about taking 80,000 off the welfare rolls in the Commonwealth of Pennsylvania without having something substantive for them to fall back into. If there are going to be jobs that are going to be given to people, then it seems to me that jobs, in fact, should be given first before anything is done in terms of eliminating people on welfare. So it takes out this 6-month implementation period so that people can maintain the eligibility in relationship to HB 2044.

The SPEAKER. Does the gentleman, Mr. Richardson, wish to continue?

Mr. RICHARDSON. All right, I would like to interrogate Mr. Punt.

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

Mr. RICHARDSON. Mr. Speaker, this reaches specifically at the heart of your bill that deals with persons being taken off the welfare rolls in the Commonwealth of Pennsylvania, and we are striking out "six-month implementation period" to leave in the fact as long as they maintain the eligibility. If we can provide jobs for people in this Commonwealth, which is one of the goals that I feel are important, specifically as it relates to 81,000 or 86,000 people, whichever the figure is—no one seems to know exactly what the correct figure is—would you support this amendment?

Mr. PUNT. No, Mr. Speaker, I oppose it.

Mr. RICHARDSON. Thank you very much.

I would like to speak on the amendment.

Mr. Speaker, it seems to me that what we are involved in again today, and seemingly has been pointed out by members of the press and also the members who are here,

is that every amendment that we offer is going to be shot down without any serious consideration or debate. In this amendment, we are saying to the members of this House that if you have any human compassion for people who presently exist in this Commonwealth, if there is any sense of feeling that exists within inside of you, you will not talk about taking people competely off the welfare rolls, who fall in the category of GA without giving them something that they can hang their hats on. This amendment speaks to the fact that they can still maintain their eligibility, still be allowed to receive a check; still would be allowed to get the money on the monthly basis that they presently receive now, as opposed to just wiping them out.

We have to begin to think about what impact this will have on rest of the Commonwealth of Pennsylvania's taxpayers as well as those who are not taxpayers in this Commonwealth. It should be our concern to think about all persons. All we have heard talk of is that we want to save and protect the taxpayers. I have taxpayers in my district also, and it seems to me that taxpayers are wanting to get to the truth of the matter, not just because it becomes politically expedient for some people to play political football with people's lives. This amendment clarifies that to allow people and their eligibility to be maintained as long as they keep their eligibility, in terms of the caseworkers, updated they will still be able to receive a welfare check.

The SPEAKER. Does the gentleman, Mr. Street, wish to be recognized on the amendment?

Mr. STREET. Yes, Mr. Speaker.

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

Mr. STREET. Mr. Speaker, if I understand the amendment correctly, the amendment goes to the 6-month phase-in period that they have for the implementation of HB 2044. I would like and I have been seeking some information on the cost of the implementation period, whether we are going to set up a new agency to do that or whether that will be done by the caseworkers, whether that will be done by Helen O'Bannon and her present staff. Mr. Speaker, can you tell me how that would be done? Will Mr. Punt, just stand to answer a few questions?

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

Mr. STREET. Mr. Speaker, on this amendment, before we can ascertain exactly what it does, can you tell us the costs involved in the phase-in period?

Mr. PUNT. Mr. Speaker, there is no cost incurred. We use within the existing structure of the county boards of public assistance. Redetermination, evaluations are done presently with the county boards, and we do not need or will realize a creation of additional bureaucracy or bureau or agency. We can do the implementation phase-in through the existing structure.

Mr. STREET. Mr. Speaker, my information reveals that the reevaluation period now takes only once a year. And what we want to do is, with this bill, HB 2044, is to phase-

in with 6 months. It seems like to me that if we are going to use the present structure, the way it is set up now and you have to phase in, you are going to have to have additional staff in order to do that. Can you tell me how that will work? All 80,000 will be reevaluated in 6 months, correct?

Mr. PUNT. Yes, Mr. Speaker, and I disagree with that. We can do it all within the existing structure.

Mr. STREET. Can you tell me how? Can you be a little bit more specific?

Mr. PUNT. The way that it is presently done now.

Mr. STREET. But can we do that with the present work force with Helen O'Bannon just announcing that she is going to cut back an additional 900 jobs?

Mr. PUNT. Yes, Mr. Speaker, I believe that we can do that; Secretary of Welfare Helen O'Bannon believes that we can do that, as well as her staff. This has been discussed with her staff throughout the county boards, and everyone believes that we can do this with the existing structure.

Mr. STREET. Can you tell me how many recipients we would have to reevaluate per month to do it in 6 months?

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

Mr. STREET. I just need to be clear on that. Can you tell me how many recipients on GA we would have to evaluate every month or every week, better yet, every week in order to reevaluate the 80,000 in the 6 months that we allow for in this bill?

Mr. PUNT. Mr. Speaker, that is an administrative problem the secretary would have to work out, and she has said they can handle that. Other than that, Mr. Speaker, I cannot go into any more detail on that.

Mr. STREET. Okay. Mr. Speaker, what happens to a GA recipient if in fact he has not been reevaluated in the 6-month period? Will he be arbitrarily taken off pending evaluation, or will that person remain on the GA rolls until he is evaluated?

Mr. PUNT. Mr. Speaker, the General Assembly, through HB 2044, is mandating this be done during a 6-month period. It will be done, and the Secretary of Welfare is well under the understanding of the 6-month implementation period and feels very comfortable that they can accomplish such within that period.

Mr. STREET. Well, the General Assembly, Mr. Speaker, also mandated that the Department of Health and Welfare hire 4 percent of its work staff from welfare recipients, and it has not done that. So how are we going to know whether the mandate from this General Assembly is going to be implemented by the Department of Health and Welfare? That is the reason why, Mr. Speaker—let me explain—I went through the figures, because we constantly in this House of Representatives are confronted, after we pass a law, with the backlash that the law is unenforceable or that it was beyond our ability to implement. And what I am saying is, without realistic figures, without realistic figures as to how many people can be reevaluated every week, every month, to bring us to that evaluation in a 6-month

period, to make us reasonably sure that that could happen, what is going to prevent the Secretary of the Department of Health and Welfare from coming back saying, we are understaffed, we have not been able to reevaluate these people, the 6-month period has expired and we are taking them all off, and we will reevaluate them later, and if they qualify, we will put them back on? What is to prevent that?

Mr. PUNT. Mr. Speaker, there is nothing concrete. There is nothing that is concrete that can prevent many things from happening on this House floor. It is our belief in people. This legislature makes the laws of this state; no bureaucracy; we make the laws. The executive branch is to administer those laws, and I have firm conviction in our political system, and the only assurance I can give you is, from the conversations and meetings that I have had with the department—

The SPEAKER. Will the gentleman please confine his answers to the question before the House, which is the amendment offered by Mr. Richardson. The gentleman may proceed.

Mr. PUNT. Mr. Speaker, I can only assure you that I have been assured, and I am comfortable in my mind, the department can administer this program within a 6-month period.

Mr. STREET. Thank you, Mr. Speaker. May I speak to the amendment?

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

Mr. STREET. Mr. Speaker, I am concerned about the amendments that are coming before this House, and particularly this amendment, without documentation that what we are proposing can be, in fact, implemented, and I do not understand, again, how we can continue to proceed without documented information. This amendment goes to the 6-month-plus-1 phase-in period in HB 2044, and it just does not seem quite intelligent for us to enact a law that we have no idea as to whether, based on some factual information, the Department of Health and Welfare has the ability to implement what we are doing. Now I am always of the opinion that we enact laws that we are reasonably sure, based on documented information, can be implemented, and I have not heard or I do not know of any information that we have that will show that the Department of Health and Welfare can, one, reevaluate 86,000 Ga recipients in 6 months, because I am told in Philadelphia at every district I have ever visited that they are already short of staff, that they cannot even deal with the workload that they already have, and I would wish that we would get down to some brass tacks and start dealing with this bill based on the facts and not based on the figments of our imaginations, based on some rhetoric. I have never been able to accomplish anything up here just based on rhetoric, so I went out and got some facts. I came back with some facts and suddenly I am confronted with the fact that I am not going to be able to accomplish or influence anybody with the facts. That is a sad state of affairs for the Pennsylvania House of Representatives. I ask for a "yes" vote on this amendment.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, will the gentleman, Mr. Punt, stand for brief interrogation?

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

Mr. IRVIS. Mr. Speaker, I want to read a sentence to you and see if you agree with my interpretation of it. I am now looking on page 3, line 15, of the bill, quote: "General Assistance recipients found eligible as chronically needy would be continued as general assistance recipients beyond the 6-month implementation period so long as they maintain their eligibility." Do you see that sentence?

Mr. PUNT. Yes, Mr. Speaker.

Mr. IRVIS. Do you agree with me that we are, in that sentence, dealing with the category called "chronically needy"?

Mr. PUNT. Yes, Mr. Speaker.

Mr. IRVIS. Do you agree with me that it says that they will be maintained beyond the 6-month period so long as they maintain their eligibility?

Mr. PUNT. Yes, Mr. Speaker.

Mr. IRVIS. Now, I want to read the sentence to you, how it would sound if we were to strike the words suggested in the amendment, quote: "General assistance recipients found eligible as chronically needy would be continued as general assistance recipients so long as they maintain their eligibility." Now that is the way the sentence would read if we adopt the amendment. Is that correct?

Mr. PUNT. Would you repeat your question, Mr. Speaker?

Mr. IRVIS. I had better. I am going to read you the sentence as it would sound if we were to adopt the amendment, quote: "General assistance recipients found eligible as chronically needy would be continued as general assistance recipients so long as they maintain their eligibility." Is that the way it would read if we adopted the amendment?

Mr. PUNT. That is the way it would read as such.

Mr. IRVIS. All right. Now, sir, I address myself to page 2 of the bill, line 28, and I read the language to you of the current bill, quote: "Assistance for chronically needy persons shall continue as long as a person remains eligible." Do you see those words?

Mr. PUNT. Yes.

Mr. IRVIS. I now point out to you, sir, that, in my opinion, what the gentleman, Mr. Richardson, is asking on page 3 is that we utilize exactly the same words as the bill already utilizes on page 2, and what I am suggesting is—and I am addressing this respectfully to you. I understand your opposition is intelligently taken. I am not accusing you of just being blind. What I am suggesting to you is—that Mr. Richardson's amendment does no harm to the bill, because if you look on page 2 and the language I just read to you, the bill already says that chronically needy people shall be given assistance as long as they remain eligible, and Mr. Richardson's language, if we adopt it, would cause the

bill to say, on page 2, exactly the same thing, chronically needy people would continue as general assistance recipients so long as they maintain their eligibility. So, really, he is not changing anything of any significance in the bill, and that is the reason I am puzzled as to why you, who have been honest in your opposition, would oppose this. Would you please reconsider, listen to the argument I have made, and see if it does not make sense to accept this amendment, because it merely reiterates on page 3 what the bill already says on page 2? Thank you, Mr. Speaker.

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

Mr. PUNT. Your comments referring to the wording on page 2 and on page 3, if amended on page 3, would agree as the same. However, when the bill was drafted, I did not want to see a possibility, just a possibility, of an interpretation that the chronically needy could somehow, through perhaps a legal matter, be placed in a similar status as the transitionally needy. I wanted to clarify or through, perhaps, legislative intent to clearly stipulate that the individuals under the chronically needy category would continue to be on general assistance, if eligible, beyond the 6-month implementation period.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. I understand what the gentleman intended, and I would suggest that he has accomplished that. Again, I am not trying to delay the argument. I am simply puzzled as to why an opposition of the removal of this language. Frankly, I do not see how the removal of the language affects the bill at all. I simply say that if you say on page 2 that chronically needy shall remain on assistance as long as they are eligible, then you have not changed the bill when you say the same thing on page 3. Very frankly, even if you do not accept the amendment and it fails, you are still exactly in the same position, really, because if you say on page 2 that they are to stay on as long as they are eligible, and you say on page 3 they are to stay on beyond the 6-month period as long as they are eligible, the operative words are "as long as they are eligible." Those are the operative words, and the bill clearly says you do not stay on after you have lost your eligibility, and it clearly says you do stay on as long as you have eligibility. So I really do not see the point of the argument. I do not think it makes much difference either way, but I am saying to you I do not see the point in the opposition, really, sir, to this particular amendment, and I have nothing further to say on it except that I say the amendment really does not affect the bill one way or the other. Thank you, Mr. Speaker.

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

Mr. PUNT. Mr. Speaker, I must disagree with the minority leader, as I stated my reasons why it was inserted in the beginning, when the bill was drafted. I again reiterate, I do not want to see this going through the courts and being interpreted as such, where it could, perhaps, hurt the truly needy who would be placed in the chronically

needy category. It is more or less a legislative intent here and I would ask this House to defeat this amendment, to keep it in the bill so there is clearly no question that the chronically needy recipients would remain on general assistance beyond that 6-month implementation period.

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

Mr. ZELLER. Mr. Speaker, it amazes me to no end to see why so much time was spent on this amendment when in fact it does exactly what Mr. Irvis and Mr. Street and Mr. Richardson would want, a protection. As a lawyer, he knows that. It just amazes me that what Mr. Punt has done is spelled it out to protect those folks that have a chronic illness and because of the fact that section 2, the wording, spells out the implementation period which has nothing to do with the part of the chronical end of it. I was surprised that the Speaker allowed Mr. Street so much leeway on that, when he was speaking about implementation period, when in fact Mr. Richardson's amendment has nothing to do with that clause and all that. What they are merely saying is extending the time for these folks who have a problem. So, it amazes me that we would see that type of an argument brought out, especially from the legal department. I think it is one of our problems down here, we just have too many lawyers.

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

Mr. RICHARDSON. Mr. Speaker, I would like to interrogate Mr. Punt on this amendment.

The SPEAKER. The gentleman, Mr. Punt will stand for interrogation on this amendment.

Mr. RICHARDSON. Do you know how many caseloads there are per district in the Commonwealth of Pennsylvania in relationship to GA recipients?

Mr. PUNT. Mr. Speaker, when I was putting together a proposal of HB 2044, yes, but I do not have that information here.

Mr. RICHARDSON. Why do you not go get it so we will have it in the record so we will know what we are talking about?

Mr. PUNT. Why do you not share it with us if you have it?

Mr. RICHARDSON. I do not have it. I am asking you a question, Mr. Speaker. I am not being interrogated; I am not being interrogated; I am asking you if you have the information.

Mr. PUNT. I will have it on final passage.

The SPEAKER. The Chair asks the gentleman, Mr. Richardson, to please confine his interrogation to the amendment.

Mr. RICHARDSON. I am, specifically to the amendment. That is why I asked Mr. Punt the question.

The SPEAKER. The Chair notes no numbers in the amendment.

Mr. RICHARDSON. That is our point exactly. If he had some numbers and some facts, people probably could debate the bill much better than they are doing now. All we want to do is ask whether or not—

The SPEAKER. The Chair understood the response to the question posed to Mr. Punt was that Mr. Punt did not have the information.

Mr. RICHARDSON. He does not have the information about anything on this bill. I do not understand it. He should bring it down with him. He has his help up there telling him everything to do.

The SPEAKER. The gentleman, Mr. Richardson, will please confine his remarks to the amendment.

Mr. RICHARDSON. My position is, Mr. Speaker, that not only do you not know, but can you even give us the figure on what the administrative error is in relationship to the fact that you are going to take 86,000 people off the GA rolls in the Commonwealth of Pennsylvania? Can you tell us what is going to be the administrative error in relationship to that?

Mr. PUNT. No, Mr. Speaker.

Mr. RICHARDSON. Do you have any idea, Mr. Speaker?

Mr. PUNT. No, Mr. Speaker.

Mr. RICHARDSON. Again, it goes to show that there is some fault in how you can put a bill together without realizing that in debate that the 6-month period that we are talking about eliminating in this particular amendment does, in fact, speak to the fact that you say can be done in 6 months. What proof do you have statistically that can show it can be done in a 6-month period with the 900-plus people that are being laid off in the Department of Welfare right now as of today, starting March 12.

Mr. PUNT. Mr. Speaker, again I can only say in formulating this proposal, the department officials, those which must administer this program, the county boards, verified, stated to me, that they can do this in a 6-month period, the redetermination evaluation. I can only rest or base my decision on those people who are going to administer the program. I pushed, I worked, I requested an implementation period. If I did not, this would have been effective immediately without any redetermination evaluations done. They could have, if I was hard-nosed and I did not consider a redetermination implementation period to be put into the language of the legislation, we could have had all of those individuals deemed off general assistance on the date of passage or the effective date of this legislation. However, I wanted to insure that every single person would be looked at closely, adequately and no stones left unturned, that everyone, every single case was reviewed, reviewed fairly, objectively, for that individual's welfare.

Mr. RICHARDSON. But in order to do that, Mr. Speaker, there has to be a period of time in which that is done. You do not have enough workers presently right now that can take care of the problems that exist inside the Welfare Department on a daily basis with the caseload that they have. There are some caseworkers who have 2,000 cases and they cannot handle it now. I am speaking specifically to those in the SSI category. In my district alone, where the hill district is, they said they cannot administer it. So, I do not know whom you are speaking to on the county

board, but the only thing I can say to you is that the county board is not telling the truth when they say they can handle this in a 6-month period. It is just not true, and you better check with someone else who can probably share with you the correct information, because you have been misled.

The other point that I want to point out is that when you talk about eliminating people and that you are not hard-nosed in your position, I disagree. I believe that you have been hard-nosed by the fact that it is clear that there are over 200 cases per district, at least, that deal in the GA category, and they have already indicated they cannot handle this in a 6-month period, dealing with an early childhood screening, dealing with caseloads, dealing with food stamps, dealing with all medical assistance, dealing with everything else that they have to deal with. It is impossible. That is why I am talking about having the facts, Mr. Speaker.

If you had the facts, you would know that this cannot be done in the 6-month period because they have so much administrative error now in relationship to dealing with the problem as it deals with persons who are on welfare. If you had that information, you would know specifically that it cannot be done that way. All I am saying to you, Mr. Speaker, is stop being hard-nosed on this. Give us the time that is necessary to make sure that what you want to do is done. There is no way in the world that a 6-month period, with the 81,000 or 86,000, whichever number is being used, can be taken off, administered properly, and then be put in the correct category without error, without error, because you have to define "transitional," "chronical." Then after you define them, put them into some perspective. This gives us an opportunity to make sure that as long as they maintain their eligibility while they are going through the bureaucratic red tape, that they cannot handle now, that this is being implemented based on the maintaining of their eligibility.

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

The following roll call was recorded:

YEAS—65

Austin	Goodman	Michlovic	Ritter
Barber	Gray	Milanovich	Rodgers
Borski	Harper	Mrkonic	Schmitt
Caltagirone	Hutchinson, A.	Mullen	Seventy
Cappabianca	Irvis	Murphy	Shupnik
Chess	Itkin	Musto	Steighner
Cohen	Johnson, J. J.	Novak	Stewart
Cowell	Jones	O'Brien, B. F.	Street
DeWeese	Knight	Oliver	Stuban
DiCarlo	Kolter	Petrarca	Taylor, F.
Dawida	Kukovich	Pievsky	Trello
Dombrowski	Laughlin	Pistella	Wachob
Duffy	Levin	Pucciarelli	Wargo
Dumas	McIntyre	Rappaport	White
Earley	McMonagle	Richardson	Williams
Gallagher	Manderino	Rieger	Wright, D. R.
Gatski			

NAYS—107

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

NOT VOTING—24

Alden	Gannon	McClatchy	Rhodes
Beloff	Giammarco	Madigan	Schweder
Bennett	Greenfield	O'Brien, D. M.	Shadding
Berson	Hayes, D. S.	O'Donnell	Sweet
Dininni	Hoeffel	Peterson	Weidner
Freind	Lewis	Reed	Zwikl

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

WELCOMES

The SPEAKER. The Chair welcomes to the balcony a group of students from Simon Gratz High School, Philadelphia, who are here today as the guests of Mrs. Harper.

The Chair also welcomes Mr. and Mrs. Ross Shautner of Macungie and Mrs. William Shankweiler of Corning, who are here today as the guests of Mr. Joe Zeller.

CONSIDERATION OF HB 2044 CONTINUED

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

Mr. RICHARDSON offered the following amendment:

Amend Sec. 2, page 3, lines 19 through 21, by striking out "of up to" in line 19; all of line 20; and "implementation period." in line 21 and inserting effective after their eligibility has been redetermined.

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

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

Mr. RICHARDSON. This is a very simple amendment, Mr. Speaker. It speaks to the fact that those who are presently on the welfare rolls of the Commonwealth of Pennsylvania who fall in the category of GA would have a redetermination hearing prior to being cut off assistance. It is very simple.

Many people, because of the administrative error which we were just trying to point out to the gentleman, were not listening, again, because the facts are not here. They are not presented, even though he has all his staff up there telling him what to say. It is clear that this amendment will help clarify the points on those persons who are presently eligible, and we want to make sure that there is a redetermination hearing on these individual persons who fall in the category of GA, by asking that there be a hearing before they are cut off.

The SPEAKER. The Chair recognizes Mr. Punt.

Mr. PUNT. Mr. Speaker, I am going to have to oppose the amendment here. I do not think Mr. Richardson fully understands what he is doing. The way that I am reading his amendment, "by striking out" on page 3, lines 19 through 21, and "implementation period," and inserting, as he is requesting in his amendment, "effective after their eligibility has been redetermined," the way that I read this, once that welfare recipient, who would be listed in the transitionally needy category is determined to be in a transitionally needy category, he would then at that time be eligible for one check and that is it. What I am proposing is, that once those redeterminations are done, they are carried over through the entire 6-month implementation period, and beginning on the 7th month, they would receive their final check of that 1-month grant for a 12-month period.

I would oppose this amendment because this is giving additional time and additional funds in consideration for those individuals who would be determined in the transitionally needy category.

The SPEAKER. The Chair recognizes Mr. Richardson.

Mr. RICHARDSON. First of all, Mr. Speaker, I do not think the gentleman understands what we are doing. He says he does not think I know what I am doing. Specifically, we are asking for more time for persons who are presently on the welfare roll by assuring that, if there are administrative errors, in fact these people would have a redetermination hearing. That would be the effect after the eligibility has been redetermined. We are speaking specifically of trying to amend that portion of the bill that would deal with it. It seems that in this debate and this discussion that you are missing the point that you cannot take 80,000 people off the rolls because you cannot administer it; you cannot administrate it in 6 months. Although you voted that amendment down, we are saying, after the implementation period, that effective after their eligibility has been redetermined, that we want to specifically talk about that time being extended, so that the hearings that will be held to redetermine it will be given an ample amount of time that is necessary. You just cannot take off 80,000 people from the rolls without having some hearing to determine

what category they fall in. A lot of times individuals wind up in a situation where because of the subjectivity of a number of caseworkers because they dislike the person who comes before them anyway, classifies them in the wrong category, they will not be eligible for any more than one check a month out of the year. You are saying that is it; do not give them a chance to come and appeal that. I am saying there should be an opportunity for appeal. These people should not be without money, and in doing that process there should be more time for them to have it by being redetermined through a hearing process. I do not feel that it is unreasonable. We believe that is very reasonable. Again, you have not given us any statistics that prove yet that it can be done in a 6-month period; and after that implementation period, we are saying that people should have an opportunity to be redetermined so that their eligibility will remain the same so that they can receive a check.

I just want to know how in your heart you can talk about taking money from people, take it out of their hands, say we do not care, cold-blooded, dictate that this is the way it is going to operate and I am not budging on anything, and just oppose every amendment. I do not understand it when you talk about you are for the people in this Commonwealth. If you were doing it based on a realistic point of view, you would do it based on the law, and that is that everyone should have a right to have a redetermination hearing and the eligibility of that should be based on how we can move forward, not backwards. It is a modern form of slavery to tell people that we will take them off the rolls and then not give them an opportunity to apply for welfare with a hearing that is set forth by the Department of Public Welfare. All we are asking for is that grace period of the redetermination.

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

Mrs. HARPER. Thank you, Mr. Speaker. I rise to support Mr. Richardson's amendment. I know, with the number of people that you will be dealing with and the mistakes that will be made, especially with the short of help, the people should be allowed a hearing. I just think that when you are dealing with lives, you should check the people, take time, and give them an opportunity to plead their case. I just do not think we should turn people out into the streets without allowing them an opportunity for a hearing.

This is a very important amendment. This amendment will allow people an opportunity to appeal their case, and I do not think anyone should be denied that opportunity. Thank you.

FILMING PERMISSION GRANTED

The SPEAKER. The Chair gives notice that he has given permission to Mr. Don Ripka of UPI to take pictures of the House for 10 minutes.

CONSIDERATION OF HB 2044 CONTINUED

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Barber, on the amendment.

Mr. BARBER. Mr. Speaker, if a person commits murder, they have the opportunity to appeal; but, in this particular case, a person, just because they are on welfare, will not have that privilege even though it may be the department's mistake. I cannot understand the rationale.

Mr. Speaker, it is in the Harrisburg paper today that many people on the floor are not listening. When people bring in facts, documented facts, why, why will not Mr. Punt and others listen? I can understand your bringing amendments that do not mean anything, but there have been many good amendments that people have made up their minds before the speaker opens his mouth that they are going to vote "no." Mr. Speaker, it is unfair, and as leaders, young people like are here today from Simon Gratz High School, how can they have confidence in the legislators if they will not listen when there are facts. Everybody deserves a chance. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—60

Austin	Gallagher	Manderino	Richardson
Barber	Gatski	Michlovic	Ritter
Caltagirone	Goodman	Milanovich	Rodgers
Cappabianca	Harper	Mrkonic	Schmitt
Chess	Hutchinson, A.	Mullen	Seventy
Clark, B. D.	Irvis	Murphy	Shupnik
Cohen	Itkin	Musto	Steighner
DeMedio	Johnson, J. J.	Novak	Stewart
DeWeese	Jones	O'Brien, B. F.	Street
DiCarlo	Knight	Oliver	Sweet
Dawida	Kolter	Petrarca	Trello
Dombrowski	Laughlin	Pievsky	Wachob
Duffy	Levin	Pistella	Wargo
Dumas	McCall	Pucciarelli	White
Fryer	McMonagle	Rappaport	Williams

NAYS—108

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

Fischer	Letterman	Sirianni	Speaker
Fisher	Levi		

NOT VOTING—28

Alden	Gannon	Lewis	Reed
Beloff	Giammarco	McIntyre	Rhodes
Bennett	Gray	Madigan	Rieger
Berson	Greenfield	O'Brien, D. M.	Schweder
Borski	Hayes, D. S.	O'Donnell	Shadding
Dininni	Hoeffel	Pitts	Weidner
Freind	Kukovich	Pratt	Zwikl

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

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Richardson, for an additional set of amendments.

Mr. RICHARDSON. Mr. Speaker, my amendments are not ready out of the Reference Bureau, and I would ask that I be passed over for now.

REMARKS ON VOTE

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

Mr. EARLEY. Mr. Speaker, on the Richardson amendment, I was inadvertently voted in the negative. I wish to be voted in the affirmative on that.

The SPEAKER. The Chair thanks the gentleman. His 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. WILLIAMS offered the following amendments:

Amend Title, page 1, line 5, by removing the period after "persons" and inserting and providing for a right of appeal.

Amend Sec. 1 (Sec. 432), page 3, line 4, by inserting after "405.1." If the person shows that he or she is needy because of circumstances beyond his or her control and can show an active search for work history and willingness to accept employment, then the person's status shall continue as a chronically needy person.

Amend Bill, page 3, by inserting between lines 10 and 11

Section 2. The act is amended by adding a section to read:
Section 432.19. Appeal in Cases of Transitionally Needy Persons.—A determination that a person is a transitionally needy person under section 432(3) shall be appealable under section 423. At such hearing the person shall have the right to present evidence relating to:

(1) whether or not such person is needy because of circumstances beyond his or her control;

(2) the work history of such person;

(3) the assiduousness of such person in seeking employment;

(4) the willingness of such person to accept employment; and

(5) other matters reasonably related to the foregoing.

Amend Sec. 2, page 3, line 11, by striking out "2." and inserting 3.

Amend Sec. 3, page 3, line 24, by striking out "3." and inserting 4.

On the question,

Will the House agree to the amendments?

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

Mr. WILLIAMS. Mr. Speaker, this amendment to HB 2044 would correct what the Republicans and the Democrats and all of us are seeking to get rid of in the State of Pennsylvania, and that is, the lazy people and those who cheat in this category. And so I have called this the Lazy and the Cheat Amendment, because it protects everybody else; and it says that if a person shows that he or she is needy because of circumstances beyond his or her control and can show an active search for work history and willingness to accept employment, then the person's status shall continue as a chronically needy person.

It also says, Mr. Speaker, with regard to the transitionally needy, that a determination that a person is transitionally needy shall be appealable, and that at such a hearing the person can present evidence to show circumstances beyond his or her control, the work history of a person, the assiduousness of the person to accept employment, and other matters reasonably related to the foregoing.

Mr. Speaker, this Lazy-Cheat Amendment hits at the heart of every free enterprise, American motivation idea that we talk about when we talk about welfare reform. No one can refute the fact that the public, when it comes to welfare, is concerned about one thing—the vast amount of Americans and Pennsylvanians are concerned about one thing—that is, that we cannot afford to have people cheat any longer. We cannot afford to have fraud any longer, even though we have not worked as we ought to as a legislative body to effectively reduce that. But that is the concern; that is the one concern among Americans and Pennsylvanians and Philadelphians and Allegheny Countians and those from Lebanon County—I guess Lebanese—and this amendment, Mr. Speaker, will give Pennsylvanians and Americans and everybody in our counties what they want. If we do anything short of that, frankly, we are fooling the public and we are not delivering what they want.

So the Lazy-Cheat Amendment deals with those cheaters and deals with those lazy people in that category. It says if you are needy in circumstances beyond your control; it says if you are seeking work, if there is a mechanism to have that fairly determined—and I know that all of us are fair minded and that all of us want to get rid of the cheats, and all of us would like to find jobs that are not there for our Pennsylvanians. But under the circumstances, Mr. Speaker, let us be fair to each and every American who is in our Commonwealth of Pennsylvania. Let us be fair. Let us say that the little guy and the little man have a specific right to have his case and his situation evaluated; and, more especially, those who have had a work history, more especially those who have short employment, more especially those.

Mr. Speaker, I believe that if we do not adopt this amendment, we do not intend to be fair. If we do not adopt this amendment, we do not encourage motivation by

American workers. We do not, Mr. Speaker, if we do not adopt this amendment, I suggest, understand the concept of the value of human life. We do not understand the concept that under God each and every person is a person with a spirit, a capacity, and a person like every one of us no matter what amount of money we have in the bank or do not. God respects with some dignity, and this amendment says that we too are trying to get rid of a problem; but that we too will allow a mechanism so we do not massively disrespect the dignity of our fellow man; that we will not disrupt the capacity to build and protect families. This says that we understand that we do not want to encourage crime among those who never thought of it.

So, Mr. Speaker, I submit to you that we have finally come to the end of the road; we have finally gotten an amendment that takes care of the thing that we hate the most, the thing that we politicians have been talking about for years, the thing that we have gotten our public to understand, and that is, let us get the lazy and the cheat off our welfare rolls. And we can do that if we do not lump together that category with people who want to work, people who have worked and people who only want a fair shot at proving to us, the state, that they are hardworking Americans, that, indeed, some of them, like you and me, went to foreign countries to fight a war and came back here and just because we are poor, give us a chance, give us a chance to say and prove we are Americans. We are individuals in a country that recognizes the value of the individual, that recognizes the dearness of the family, that recognizes the dignity of men and women and children and personhood.

I would ask, Mr. Speaker, for a unanimous joinder and support of the Lazy and Cheat Amendment to eradicate the evil that we have sought so long, and to bless and protect those that we talk about protecting and blessing for so very long. I thank you.

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

Mr. PUNT. Mr. Speaker, I would like to use that speech for my closing remarks on final passage of HB 2044. Very good.

Mr. WILLIAMS. You may, but it will not be on final passage.

The SPEAKER. The gentleman will please confine his responses to the amendment before the House.

Mr. PUNT. This amendment, as I said yesterday regarding others, is nothing more than another mammoth loophole with the negating of the intent of HB 2044 and is going to cost the taxpayers of this state \$34 million in the first year, conceivably. I am opposed to this amendment as I opposed yesterday on those reasons. The taxpayers are demanding welfare reform; we have a concrete proposal and that proposal is to take ablebodied off general assistance. This amendment does little other than permitting them to remain on general assistance. I am opposed to the amendment.

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

Mr. BARBER. Mr. Speaker, when Mr. Williams stated that they are going to take the lazy people off, the cheaters off, what more do you want? Why should a person suffer because we have cheaters, we have lazy people? I am against lazy people, I am against cheaters, but I am not against people that want to work and cannot find work.

If we have some type of program to put people to work that want to work, then they should work. I do not believe there is a person in this House that wants people on welfare that can get a job and will not work. I would be the first person to vote against a person that will not work.

Mr. Speaker, I have been working for 50-some years. Mr. Speaker, I have problems now with taxes. I have been on the radio, I have been on the TV; but I am going to pay my taxes. I think that I should have ample time to pay my taxes. I think people should have ample time to find a job. Mr. Speaker, I feel very badly when we cannot pass amendments that benefit good people. Some of those people have fought for this Country, but we can do more for other countries, like the Marshall Plan. On 60 Minutes they have an island for which we spend millions of dollars for people for nothing. Mr. Speaker, I would urge each and every person to vote "yes" on this amendment.

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

Mr. WILLIAMS. Mr. Speaker, I rise to further debate.

The SPEAKER. The clerk will strike the roll.

The gentleman is in order and may proceed.

Mr. WILLIAMS. Mr. Speaker, in doing that, I would like to ask would the gentleman, Mr. Punt, consent to interrogation of one or two questions?

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

Mr. WILLIAMS. Mr. Speaker, in your response to my comments, you suggested that our people wanted welfare reform and you suggested that your bill, which would take off ablebodied people from the welfare rolls, would satisfy that request for reform. Am I generally correct?

Mr. PUNT. Yes.

Mr. WILLIAMS. Now, Mr. Speaker, I ask you, do you judge that our people have asked us to take off the welfare rolls ablebodied people who happen to be veterans of foreign wars; who happen to be Pennsylvanians with Purple Hearts, as part of that reform?

Mr. PUNT. Yes, Mr. Speaker, I believe the ablebodied who can work should work.

Mr. WILLIAMS. Thank you, Mr. Speaker, I thank you very much.

Mr. Speaker, I have just one observation about what underlies and underscores what we are doing.

I am not talking about anybody else, but I went to Korea and I know some folks here went to Europe for whatever wars, and I know some of you have friends and children who went to Vietnam and other places. One of the most singular tests of unity in this country is when we are

constrained to go to war. It used to be that only men were sent to war under very, very different conditions, and whatever your level was, you went to war. A lot of us suffered untold things, disabilities and inconveniences under the name of and for our country; others of us had it less bad and more easy, for all of us had the same fundamental respect for that American sacrifice. And, indeed, Vietnam did teach us that our guys re-entered with no re-entry; that our guys are spread throughout this country with broken lives.

How dare we say in one breath that a patriotic united fund of Americans go to protect our values and our traditions, and I am one, and when we come back, just one category, you can say to me, even though I may have a Purple Heart, you can say to me, you are ablebodied and you cannot find a job and we do not help you; and you are telling me that Americans and Pennsylvanians call that reform? Mr. Speaker, how dare you? You tell the rest of American Veterans who did that just what you said, and they will tell you, you do not understand where Americans and Pennsylvanians are on welfare reform if that is what you mean. And I am not going to cite any other category, but I am trying to tell you just what you mean when you say welfare reform.

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

The following roll call was recorded:

YEAS—59

Austin	Gatski	Manderino	Richardson
Barber	Goodman	Michlovic	Rieger
Bennett	Gray	Milanovich	Rodgers
Caltagirone	Harper	Mrkonic	Schmitt
Cappabianca	Hutchinson, A.	Mullen	Seventy
Chess	Irvis	Murphy	Shupnik
Clark, B. D.	Itkin	Musto	Stewart
Cochran	Johnson, J. J.	Novak	Street
Cohen	Jones	O'Brien, B. F.	Taylor, F.
DeWeese	Knight	Oliver	Trello
Dawida	Kolter	Petrarca	Wachob
Dombrowski	Kukovich	Pievsky	Wargo
Dumas	Laughlin	Pistella	White
Earley	Levin	Pucciarelli	Williams
Gallagher	McIntyre	Rappaport	

NAYS—114

Anderson	Foster, Jr., A.	Lynch, E. R.	Sieminski
Armstrong	Fryer	McCall	Sirianni
Arty	Gallen	McClatchy	Smith, E. H.
Belardi	Gamble	McKelvey	Smith, L. E.
Bittle	Geesey	McVerry	Spencer
Bowser	Geist	Mackowski	Spitz
Brandt	George, C.	Manmiller	Stairs
Brown	George, M. H.	Micozzie	Steighner
Burd	Gladeck	Miller	Suban
Burns	Goebel	Moehlmann	Swift
Cessar	Grabowski	Mowery	Taddonio
Cimini	Grieco	Nahill	Taylor, E. Z.
Clark, M. R.	Gruppo	Noye	Telek
Cole	Halverson	Perzel	Thomas
Cornell	Hasay	Peterson	Vroon
Coslett	Hayes, Jr., S.	Piccola	Wass
Cowell	Helfrick	Pitts	Wenger
Cunningham	Honaman	Polite	Wilson
DeMedio	Hutchinson, W.	Pott	Wilt
DeVertter	Johnson, E. G.	Pratt	Wright, D. R.
DiCarlo	Kanuck	Punt	Wright, Jr., J.
Davies	Klingaman	Pyles	Yahner

Dietz	Knepper	Ritter	Yohn
Dorr	Kowalshyn	Rocks	Zeller
Duffy	Lashinger	Ryan	Zitterman
Durham	Lehr	Salvatore	Zord
Fischer	Letterman	Scheaffer	
Fisher	Levi	Schweder	Seltzer,
Foster, W. W.	Livengood	Serafini	Speaker

NOT VOTING—23

Alden	Freind	Lewis	Rhodes
Beloff	Gannon	McMonagle	Shadding
Berson	Giammarco	Madigan	Sweet
Borski	Greenfield	O'Brien, D. M.	Weidner
Dininni	Hayes, D. S.	O'Donnell	Zwilk
Fee	Hoeffel	Reed	

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

HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, Mr. Pievsky has asked permission of the House to make a short statement, at the conclusion of which, I will ask that the House be in recess for a period of 1 hour; that we return then to the floor for the purpose of continuing the offering of amendments to HB 2044 and perhaps the final adoption.

The members have inquired as to our schedule. Right now it would appear that we will not be in session tomorrow or Friday because of prior commitments of a number of our standing committees, and next week we will not be in session because of the Appropriations Committee hearings. But when we return the following week, if HB 2044 has not been concluded, I will ask that it be taken up as a special order of business.

**MILITARY AND VETERANS AFFAIRS
COMMITTEE MEETING**

The SPEAKER. The Chair recognizes the gentleman from Cumberland, Mr. Scheaffer, for an announcement.

Mr. SCHEAFFER. Mr. Speaker, I would like to announce a meeting of the Military and Veterans Affairs Committee at the rear of the House on the declaration of the recess.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I would urge the members to stay for a brief few moments. The statement to be made by Mr. Pievsky, I think, ought to be of interest to all the members. Thank you.

STATEMENT BY MR. PIEVSKY

The SPEAKER. The gentleman from Philadelphia, Mr. Pievsky, asks unanimous consent to make a brief statement. Without objection, the gentleman may proceed.

Mr. PIEVSKY. Mr. Speaker, I rise today to ask you to suspend the rules and immediately consider a resolution which addresses a major problem facing this General

Assembly. As you know, the Governor has presented us with a budget that requires the passage of at least six pieces of legislation in order to balance that budget. I think the debate yesterday, and today, was an indication of the difficulty we are going to have in passing these pieces of legislation.

The resolution that I am introducing today—

Mr. Speaker, could the gallery be in order?

Mr. Speaker, I will not move to suspend the rules now, but when we come back on the floor, I will move to suspend the rules. I will make the statement now anyway. Thank you, Mr. Speaker.

The resolution I am introducing today requests an investigation by the Legislative Budget and Finance Committee of the processing of vehicle registrations and operator license fees collected by PennDOT.

The Governor claimed in his budget address that the diminishing fuel consumption was responsible for a revenue shortfall in the motor license fund. However, reports from the Department of Revenue indicate that a backlog in processing vehicle registrations and operator licenses is really responsible for a substantial portion of the shortfall. As of the end of January, there were 44,000 pieces of unopened mail and 150,000 undeposited checks on hand in PennDOT. PennDOT's revenue collections are presently down by \$19.5 million because of processing procedures which are inadequate to handle the job. By the end of this month, which is the busiest month of vehicle registration, the backlog will be built up by even more drastic proportions.

Since the Governor is using the revenue shortfall in the motor license fund as a basis for requesting \$170 million in new taxes and fees for the motor license fund, I think it is imperative that we investigate the efficiency with which he is collecting existing fees.

Mr. Speaker, last week I directed several of my staff members, accompanied by a photographer, to take an unannounced tour of the Department of Transportation. True to the Department of Revenue's report, they discovered box upon box upon box of unprocessed registration forms, checks and money orders. Three employes of the House Democrats entered the PennDOT building and found a room where licenses and fees are processed. First they found no guards, no security of any kind at the entrances to the area that processes over \$300 million each year. There were no locks or chains on the doors, and the entrance was propped open with a door stop. No signs designated the room as an unauthorized area. Scores of boxes of checks and money orders were stacked around the room left unattended. Folders of forms and checks were scattered about the desk tops. No one even asked what they were doing there as they proceeded to photograph the situation as they found it.

It was not until they finished taking the photographs that any PennDOT employe approached them for an explanation of what they were doing. After proper identification was made, the individual made three phone calls to her

superiors in the PennDOT hierarchy but could find no one there on a Friday to ask about these intruders. Mr. Speaker, the photographs taken that day are available for each of you to see today.

We do not know how much interest the motor license fund is losing by the failure to deposit and invest this money in a timely manner, but we can offer a guess, that if a \$19.5-million backlog existed in January, and 44,000 envelopes were still unopened, and if the current rate of return on state investments is 13 percent, then our annual interest loss of \$2.5 million would be possible. Instead of gaining that potential interest, we are paying out \$1.36 million on an annual basis to borrow the money until it is deposited. I wonder if some or all of the increased taxes and fees that the Governor requires to balance his budget might not even be necessary if PennDOT were efficiently collecting its existing revenues.

PennDOT's laxity in processing revenue is not a new phenomenon. In 1977 a huge backlog of unprocessed vehicle registrations in PennDOT led to a \$25-million backlog of sales tax revenue from motor vehicle sales. After a lengthy series of meetings between Revenue and PennDOT and an examination of processing methods used at that time—in which my staff participated—the problem was finally resolved by having the Department of Revenue process sales-tax checks before giving PennDOT the registration fees and forms. While this has succeeded in eliminating the backlog in the sales-tax category, evidently it has also taken the pressure off PennDOT to process the registration forms in a reasonable amount of time.

Mr. Speaker, my resolution calls for an immediate investigation of the practices and procedures used in the Department of Transportation to process these fees. A performance audit of the procedures used to receive and process this information is necessary immediately. If large amounts of money are left sitting around in boxes accessible to anyone who walks in the door, we should not be imposing additional fees and taxes on residents of the Commonwealth. I am calling for this investigation at this time in hopes that we will have definitive information on the causes of these backlogs before considering the budget. Perhaps these management procedures in PennDOT can be improved and some or all of the new taxes the Governor has requested will prove unnecessary.

I urge an affirmative vote on this resolution, Mr. Speaker. Thank you.

The SPEAKER. The Chair believes the gentleman said that he would call this up after the lunch break.

Mr. PIEVSKY. I did, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, is it my understanding that the gentleman is simply going to call for a suspension of the rules when we come back? I do not want to delay HB 2044 for every possible reason, although the gentleman is entitled to offer his resolution, which I probably will oppose. I will oppose the suspension of the rules. This comes by surprise;

I did not have any forewarning of a resolution. It was not shown to us or any members of our staff, to my knowledge. I am satisfied if the gentleman wants to run a quick roll call on the suspension, we could do it now, so that when we come back from lunch we will be in a position to continue with HB 2044.

I would ask that it be called up now rather than later, as he originally planned, and that we vote "no" on the suspension of the rules.

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

Mr. PIEVSKY. I thought, Mr. Speaker, that you announced that there was no further business. Some of the members might have walked out to their offices or have even gotten lunch.

Mr. RYAN. That may be, Mr. Speaker, and if you believe that to be the case, Mr. Speaker, I will not press the issue of running your roll call now. However, it may be, depending upon the length of time that I think is necessary to handle your problem, that I will ask that it wait until we have continued with HB 2044. That is what is before the House now. When I originally spoke to Mr. Manderino and Mr. Irvis, you were making a statement. I have said any number of times that HB 2044 is the order of business and it was not to be interrupted. I had no advance knowledge of any interrupting votes. It is for that reason that I may suggest that this wait until the end of today's session and we take it up at that time.

Mr. PIEVSKY. All right, then we will take it up sometime this afternoon. Thank you, Mr. Speaker.

RECESS

The SPEAKER. Without objection, this House will now stand in recess until 1:30 p.m. The Chair hears none.

AFTER RECESS

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I feel certain that Mr. Pievsky or members of his staff are within sound of my voice. It is my suggestion that we adopt immediately the resolution that Mr. Pievsky made reference to earlier today, and I would hope that he would bring it to the floor with him.

The SPEAKER. The Chair thanks the gentleman.

The members will please come to the floor. The Chair would like to recognize Mr. Pievsky at an early time, as early as possible.

RULES SUSPENDED

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

Mr. PIEVSKY. Mr. Speaker, I move that the rules be temporarily suspended in order that the House may consider a resolution which I am about to introduce.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I would ask for an affirmative vote on this motion.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—167

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

NAYS—4

Burd	Fisher	Scheaffer	Taddonio
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NOT VOTING—25

Alden	Freind	Hoeffel	Rhodes
Beloff	Gannon	Knepper	Shadding
Berson	Giammarco	Lehr	Smith, E. H.
DeWeese	Greenfield	Lewis	Swift
Dietz	Harper	Madigan	Weidner
Dininni	Hayes, D. S.	O'Brien, D. M.	Zwinkl
Dumas			

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

CONCURRENT RESOLUTION 192
INTRODUCED AND ADOPTED

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

Mr. PIEVSKY. I offer a concurrent resolution.

The SPEAKER. The clerk will read the resolution.

The following resolution was read:

RESOLUTION

In the House of Representatives,

WHEREAS, Halfway through the fiscal year there exists a substantial revenue shortfall in the Motor License Fund which the Governor claims is due to diminished fuel consumption and which is the basis of a requested increase in gas taxes and motor vehicle fees amounting to approximately \$170,000,000; and

WHEREAS, Some members of the General Assembly, after casual investigation, have determined that there exists, at the end of January, a backlog of unopened mail of approximately 44,000 pieces and a backlog of approximately 150,000 undeposited checks, such backlog occurring well before the usual March "busy period" for vehicle registrations; and

Whereas, The laxness of the Department of Transportation in processing revenue is not a new phenomenon; and

WHEREAS, There are a number of members of the General Assembly who attribute approximately one-half of the revenue shortfall in the Motor License Fund to the inability of the Department of Transportation to collect and process existing fees and charges in a timely manner and from the resulting loss of interest; therefore be it

RESOLVED (the Senate concurring), That the General Assembly direct the Legislative Budget and Finance Committee to fully investigate the processing, managing, security and deposit of funds collected by the Department of Transportation and to report to the General Assembly no later than July 1, 1980 on the management policies of the Department of Transportation.

On the question,

Will the House adopt the resolution?

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I rise to support the resolution. Prior to its vote I would like to say a few words about the resolution and the alleged condition that it makes reference to.

When we recessed at lunch time, I indicated that I was unaware of the contents of the resolution. I had simply been put on notice that Mr. Pievsky was going to make a short speech to the House. During the luncheon break, I had an opportunity to review the resolution and, frankly, before I reached my office, having left the floor of the House, members of the administration were on the phone with me. They, on hearing of the resolution and its contents, immediately contacted PennDOT to see exactly what the situation was. By the time, I guess it was 1:30, rolled around, the administration, in effect, had reported back to me what their findings were.

They indicated first, that they are vitally interested in improving the operation at PennDOT, the cost efficiency of the operation, the depositing of checks, and they in fact welcome this investigation, if you will, that is proposed by Mr. Pievsky.

They advised me that this morning, prior to any information with respect to the resolution, that the Pennsylvania Economic League was at PennDOT making a study on this subject and other allied subjects and were looking generally into the whole efficiency of the PennDOT operation as it affects the collection and depositing of funds.

They pointed out to me that of the photographs that Mr. Pievsky attached to the resolution—at least the copy that I had—the one photograph in particular which shows a room filled with cartons and envelopes in it represents one-half day's mail; not really a backlog, but rather a half a day's work as represented by what is depicted in the photograph.

The representative of PennDOT went on to explain that the 44,000 backlog that was referred to in the resolution was in January, at the close of January's business or thereabout, and that today the backlog is zero, his explanation being that under our present system and until we get these staggered registrations in, which is now the new program, all of the applications are mailed out in December and they come back in in large bulk in January and February, and indeed, there is a 1- or 2- or 3-day backlog on these peaks. They believe that under the new system of this staggered registration, the peaks and valleys will be leveled out. They tell me today that the so-called backlog, which was referred to in the resolution, is zero.

The administration goes on to point out, with some pride, I suppose, that in fact they have accelerated the processing of the registration and the operators' licenses by some 30 to 35 percent since taking office. However, that is not to say that in anyway are they discouraging the Legislative Budget and Finance Committee from coming over to PennDOT and looking over the operation. In fact, a letter will be received, hand delivered by messenger, to the Legislative Budget and Finance Committee Office by 4:30 this afternoon inviting them over today, tomorrow, the next day, whenever they want to come over, because the Senate cannot adopt the other end of this resolution, it being concurrent, until some day next week.

The press is also invited to come over and bring their cameras so they can look at this same room and determine whether or not there is an unreasonable backlog, my information being that it is down to zero in the processing of the checks.

So all in all, Mr. Speaker, I think it is a healthy thing that Mr. Pievsky has suggested. I am pleased that I am in a position, frankly, to stand up on behalf of the administration and say they welcome such an investigation, they welcome any suggestions that will improve the efficiency of that operation, and they appear to have no great concern over the allegations, but rather a reasonable explanation for what is depicted in the photographs.

Under all of those circumstances, Mr. Speaker, I think we should adopt the resolution, if for no other reason than to assure the people of Pennsylvania that we are concerned about our PennDOT operation and also to determine if the information that I have is accurate. So I would support it.

The only other little tidbit of information I would leave for the benefit of the press or Mr. Pievsky is that they may contact Mr. Tobin over in PennDOT, who is in charge of this area of responsibility that is true of the Legislative Budget and Finance Committee or the press—and he will arrange whatever is necessary to be arranged to conduct the investigation.

I thank Mr. Pievsky for his courtesy. I thank the House for listening to me. Thank you, Mr. Speaker.

REMARKS ON VOTE

The SPEAKER. Does the gentleman from Bedford, Mr. Dietz, wish to be recognized?

Mr. DIETZ. Mr. Speaker, I wanted the record to show, had I been in my seat, I would have voted in the affirmative on the motion to suspend the rules to consider the Pievsky resolution.

The SPEAKER. The Chair thanks the gentleman, and his remarks will be spread upon the record.

CONSIDERATION OF HR 192 CONTINUED

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, we welcome the joinder of the minority side of the aisle in these investigations.

For the record, the invitation that stands that Mr. Ryan just gave to the press and the TV cameras, we appreciate also, especially since, after the speech was made this morning, one TV station did take its cameras over there and were evicted. The hands of an employe were put over the lens of the camera and the people were asked to leave pronto.

Mr. Speaker, the information that we developed came to us from the Secretary of Revenue that, at least \$19 million of the shortfall that is being calculated in the Department of Transportation's budget comes from the backlog of 150,000 pieces of mail that have not been deposited in the bank. There is no way, even on the Department's figures, they will take in \$19 million in half a day. We estimate the figure as \$30 million that are in those undeposited checks in the backlog, and there is no way that can be half a day's backlog. The boxes are still there and the checks are still there.

Many of the Department of Transportation officials are unhappy about the members of the General Assembly and their staff going over to see the operation. I think all of that ought to be looked into and, if there is a problem, as there certainly was a problem in the past administration in the depositing of sales-tax revenues—on which, as Mr. Pievsky explained, we cooperated with them and showed them how easily it could get to the bank—we ought to do it again here if there is that kind of money that is not being deposited promptly, especially when we are told in the Governor's budget that there is a shortfall of revenues in the Transportation Department, and some of that shortfall which, even according to the Secretary of Revenue, is up to \$19 million, is made up by this backlog.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I do not know if I inadequately explained my remarks on the backlog or Mr. Manderino did not hear it as I said it. In any event to clear it up, I said that the check deposits, the 150,000 undeposited checks, represented several days' checks that had not been deposited, my information being that there are some 5.7 million checks a year that come in, which, divided quickly in my head by some 200 working days, comes out to 50,000 checks a day.

The other backlog I was referring to represented by the photographs is rather the 44,000 backlog in registration and titles. That I understand is a half day's backlog. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Washington, Mr. Fischer.

Mr. R. R. FISCHER. Mr. Speaker, I rise to merely suggest that as a part of this resolution—it has not been added, but there are a great many modern electronic techniques in the banking world that are currently being used by government bodies and by other businesses and so forth, and I would simply suggest that perhaps as a part of this resolution or a subsequent resolution—that we consider investigating modern management and electronic means of transferring funds so that the state might take advantage of better interest rates and faster deposits and so forth. I think using some of those techniques, perhaps a computer terminal and perhaps a combination of computers and electronics, we might be able to deposit those funds much faster and thereby earn more interest and save our taxpayers some money. I think that should be explored at this particular junction.

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

Mr. WILLIAMS. Mr. Speaker, I, in listening to these comments on the resolution, had a point that was unclear. I wanted to ask Mr. Manderino if he would stand for interrogation.

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

Mr. WILLIAMS. Mr. Speaker, so I can be clear on the point, and for emphasis, did I understand you to say that there are estimates that what is laying around is about \$30 million? Did I understand you to say that?

Mr. MANDERINO. There are 150,000 pieces of mail, many of which contain the applications and dollars and checks for passenger-car registrations. Some of them may contain the money for renewal of operators' licenses.

The Department of Revenue talks about a shortfall from this item being \$19 million. We are estimating a higher figure of about \$30 million.

Mr. WILLIAMS. So that means there is about a \$30-million shortfall around?

Mr. MANDERINO. Yes. If it was in the bank, it would show in our revenue statements from the Department of Revenue as money having been collected, and it is not showing that.

Mr. WILLIAMS. On which we would get interest?

Mr. MANDERINO. Yes.

Mr. WILLIAMS. I just wanted to be clear about the \$30 million.

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

Mr. DiCARLO. Mr. Speaker, I wonder if the minority whip would consent to a brief interrogation?

The SPEAKER. Will the gentleman, Mr. Manderino, stand for further interrogation? The gentleman indicates that he will. Mr. DiCarlo may proceed.

Mr. DiCARLO. Mr. Speaker, I have a problem that I wanted to state about the Department of Motor Vehicles. I would like to give you the problem and perhaps then you can advise me how we could have this special committee look into the situation.

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, I am not accusing Mr. DiCarlo of trying to delay HB 2044, I want to make it clear, but he by his statement is saying that it has nothing to do with the resolution, and if you have another resolution, I wish, Mr. Speaker, you would introduce it, so we can get on with HB 2044 rather than taking up the time here on the floor making an inquiry on this resolution.

Mr. DiCARLO. Mr. Speaker, I would hate to introduce another resolution to investigate a similar problem in the Department of Transportation, if I could just have some acknowledgment that the problem would be looked at. I think it is an important matter. It has to do with forms in the Department of Transportation.

For 4 months I have been trying to get MV-41 forms processed through PennDOT. What that is is for a change of title when a person transfers one vehicle to another. I bring these things down to Harrisburg. I go over there to get them processed, and the people, the bureaucrats, who work in the department, tell me that, no, they cannot be processed because they are on old forms. Then I go upstairs to the Department of Transportation—I am trying to explain the situation to you—and they tell me that they are 4 months behind and they cannot get them printed. Now I am going around in vicious circles.

I will introduce a brand new resolution to investigate that department if you want. But all I am wondering is, during the Legislative Budget and Finance Committee review, is it possible that I can make instructions or instructions can be asked that that committee look at the forms and everything else, because that is delaying fees and revenues that come into PennDOT? Or do I have to go through and amend the resolution that is before us?

Mr. MANDERINO. Mr. Speaker, we are not setting up by this resolution a special committee. It is an existing committee. I am sure that on your concerns about that

particular problem, if you would put them in writing, we can give them to the members of that committee and at least instruct our appointees to press for a resolution of that.

Mr. DiCARLO. Thank you, Mr. Speaker. I will do that.

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

Mr. A. C. FOSTER. Mr. Speaker, if the gentleman, Mr. DiCarlo, is having difficulty in getting those forms, I have a few of them down in my office. I will accommodate him with what I have.

On the question recurring,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—177

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

NAYS—1

Spencer

NOT VOTING—18

Alden	Freind	Hoeffel	Rhodes
Beloff	Gannon	Lewis	Shadding
Berson	Giammarco	Madigan	Weidner
Burd	Greenfield	O'Brien, D. M.	Zwinkl
Dininni	Hayes, D. S.		

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

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

The SPEAKER. While the Chair is waiting for Mr. Street, it has come to the attention of the Chair that the no-smoking rule is being flagrantly violated. The Chair asks the cooperation of the members in observing their anti-smoking rule.

CALENDAR

CONSIDERATION OF HB 2044 RESUMED

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 3, by inserting between lines 9 and 10 (iv) All transitionally needy people, on a county-by-county basis, shall be referred to the Bureau of Employment Security for one of the 64,000 jobs available and such referral shall be by category of jobs, to it, unskilled, semiskilled, white collar, and professional, on a county-by-county basis.

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 is A5712. It simply says that "All transitionally needy people, on a county-by-county basis, shall be referred to the Bureau of Employment Security for one of the 64,000 jobs available and such referral shall be by category of jobs, to it, unskilled, semiskilled, white-collar, and professional, on a county-by-county basis." Now that is very important.

Many of us here in arguing—and I went through this yesterday—have asserted that there are jobs available. Now if you actually believe that there are jobs available and if you believe that the information that was given to you by the prime sponsor, Mr. Punt, is in fact accurate, then you will not have a problem with this amendment, because what this amendment says is that there are jobs available in everybody's county, everybody's county, and that the Bureau of Employment Security will refer the people to those jobs and they will be given to them based on the category that they fit into. So we have the white-collar; we have the blue-collar; we have the service worker; we have the farmworker.

I would like to know at this point if the prime sponsor would join me in this amendment, because this amendment goes to the heart of the issue, which is dealing with jobs and that the very basis of this bill was put together by facts and figures that came from the Department of Employment Security.

So, Mr. Speaker, I am not asking you to yield or to acquiesce to interrogation. I am just asking you if you would join or would you agree that an amendment of this nature would be in order?

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

Mr. PUNT. Mr. Speaker, I listened very intently and as closely as I can to all amendments which have been offered to date, and I have listened very closely to this one as well. This is nothing but another bureaucratic mumbo jumbo, and I oppose this amendment.

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

Mr. STREET. Since my amendment has been characterized as bureaucratic mumbo jumbo, I am requesting an easel so that I can point out by facts and figures that this amendment is more than just bureaucratic mumbo jumbo. May I have an easel for the front of the House so that I can demonstrate to the House some facts and figures?

The SPEAKER. The Chair does not have an easel at his disposal, but the Chair would have no objection if the gentleman would bring it down to the minority leader's desk and have a member of the staff hold it up for the members to see.

Mr. STREET. Thank you.

Mr. Speaker, I have to have it positioned so that I can point to the figures so that they can contradict the bureaucratic mumbo jumbo. Everybody needs to see them.

All right, now since it is necessary for us to go through this, the unemployment rate—and I would challenge anybody in this House to contradict these figures, and I am confident that nobody would have any success in contradicting these figures. These figures in the unemployment rate in the State of Pennsylvania now are 380,000. GA employables—and now you must remember we do things by studies. We do things by studies, and I want this to show that this goes right to the amendment of county-by-county employment—GA employables, 86,000. The total number of unemployed we have in the State of Pennsylvania is somewhere around 466,000. Now, what we have done is, we have broken it down for you into job categories. New job openings projected by studies, again in the State of Pennsylvania, in the 1980 blue-collar category, we are going to have 9,500 new job openings; white-collar, 30,600; service jobs, 8,700. Now these are studies.

Now, I do not know where the information is coming from from all of the Representatives on the floor of the House who have been talking about the jobs that are out there. It contradicts everything that I get in terms of studies. Now, indulge me for a moment while I turn the page.

All right, Mr. Speaker, let me just continue. What we have done is, we have broken down the GA recipients that we want to take off, into categories. Profile of the GA employables; we have a profile of the GA employables - white-collar, we have 15.82 percent; blue-collar skilled, 18.79, or 16,200; blue-collar unskilled, 56.72 percent, or 48,000 blue-collar unskilled—48,800—unskilled workers; unknown 8.66 percent, or 7,500.

However, we want to go to the amendment that breaks this down into counties because what we have to do is deal

with the job readiness. Job readiness is very important. Eighth grade or less education, eighth grade or less, 15.28 percent; high school diploma, 37.94 percent; high school graduate, 34.99 percent; some college experience—now that is important—9.76 percent; unknown, 2.3 percent. Very important. Why is it so important? Because I have shown you time and time again on the floor of this House the computer printout of job availability by the state itself - 900 jobs available. The percentage of those jobs that require some college experience is over 50 percent. The percentage that requires a high school diploma is over 90 percent. So this amendment would deal with or would permit us in this HB 2044 to be able to take these figures and ascertain, one, how many unemployable or employable GA recipients do we have in these counties. Two, we would be able to take them and put them into a category to accurately ascertain the availability of work. For example, Philadelphia County GA recipients under PIDA - Pennsylvania Industrial Development Authority - program, the University of Pennsylvania received from the PIDA program, \$5 million to provide jobs for the unemployed. Again we are dealing with figures. And that \$5 million would provide for us 1,500 jobs.

Now I wish you would listen to me. Entry-level jobs, entry-level, unskilled, out of \$5 million and 1,500 jobs, we got two janitor jobs; two, two janitor jobs. These facts and figures came to us from the University of Pennsylvania's Department of Science, which is doing a study, incidentally, a study so that you all can better ascertain how to spend your money. Two janitor jobs, which mean that over 1,500 jobs went to college degreed, PhDs, those who have a bachelor of science.

Wait a minute, I have about five more pages. I am almost finished. All right. At any point that Mr. Punt wants to join in in this amendment, let me know.

All right, these are facts that came from the United States Department of Labor, the United States Department of Labor, in a report to the United States Congress in terms of the Bureau of Employment Security, BES, and its effectiveness in terms of providing jobs, the 64,000 jobs that were used as the basis for drafting by this administration, the 64,000 jobs that were used for the basis and rationale that is constantly put before us when telling us that there are jobs out there.

All right, let us just consider for a moment why it is so important that we bring these back. We all agree with studies. The United States Department of Labor says 58 percent of the people who registered with BES were never served, 58 percent were never served. Only one in six persons got a job, but of course the jobs are out there. One-third of the jobs paid less than minimum wage. This is a study now; I have to emphasize that. Fifty-three percent lost their jobs in 6 months, which means they were seasonal jobs, seasonal jobs. I say that because in the debate yesterday over whether we should deal with these jobs and the BES, and Mr. Whomever—I forget who—responded that a lot of the jobs around the state deal with the tourist

business. Very important. A lot of the jobs around the state deal with the tourist business, and that employers would not be interested in hiring GA recipients that they did not know whether they would come to work or not. Well, let me tell you—and I did not put it on this chart—that this study showed that those jobs, 53 percent, that lasted 6 months or less, were found in the tourist industry. That is where they were found. They were found in the tourist industry. And the study also showed that the unskilled welfare recipients are the hardest people to place. The unskilled welfare recipients are the hardest people to place.

Now, if we adopt this amendment, what we are going to do is identify in each county again those people right down here, the unskilled, who are the hardest to place. Why is that so important? Let us go back for a minute.

For the blue-collar unskilled GA recipients it is 56.72 percent. So out of the 80,000 that we intend to take off, 56.2 are unskilled, and based on the study that came from the Department of Labor, those are the people who are the most difficult to find jobs for. They are the most difficult people to find jobs for. So what we do is, we contradict ourselves and we contradict every study and we contradict the studies of the United States Department of Labor when we stand up on the floor of this House and say that we should support a bill because there are jobs out there. I have not been presented with any one study, not one documented piece of information, that can show us that there are jobs. I say to you right now that if there is anybody on the floor of this House who does not wish to support this amendment but who can give me a study that shows that there are in fact jobs out there, I, one, will withdraw all of my amendments; I will sit down in my seat; I will never speak again and I will never speak again for the rest of this session. Just give me a study showing that there are jobs. Just come up with a study showing there are jobs. There are none.

All right. Now this goes to the heart of the problem and it goes to my amendment. I want to break down the amendment. I want to break down the amendment on the county-by-county basis so that we can feel the impact. Less than 1 percent, okay, of the savings to go into jobs by the Community Conservation Employment Opportunities grant will come from the savings, Mr. Speaker, of this particular legislation. Now, if we are going to have less than 1 percent and \$4 million, then I want the jobs to be assigned on a county-by-county basis so that I can be reasonably sure that the people in my county are going to get some jobs. Now, I think that is fair.

How do I arrive at that figure? What we have done goes right to the amendment. What we have done, we have taken the CETA - Comprehensive Employment and Training Act - program. If you look in your budget briefs, if you have a budget brief and you turn to page 10 and 11 on your budget brief, you will find out that in the Governor's message to the joint session, in the Governor's message to the joint session, he indicates that \$4 million will go into jobs, Community Conservation program. If

you get the budget proper and look under youth employment, where you will find the Community Conservation program, you will find out that for budget year 1980-81 there is a total of \$4 million going into jobs, which includes the \$2.7 million that was already there and that is there now before we enact HB 2044. So what that means is that rather than 4 percent, as we were led to believe, of the moneys going into the Community Conservation, only \$1.264 million of the money that is saved from HB 2044 will go into Community Conservation or into jobs.

So, you are taking people off welfare to give them jobs behind the rationale that we are going to create a job-training program out of the savings which are estimated at \$34 million, and all you come up with is less than 1 percent of \$34 million, which is \$1.264 that is going to go into jobs. That is crazy. What you need to do is, people, look at the figures. You need to look at the figures as projected in the budget, the budget proper, and the bill, the rationale for the bill. But if we allocate the jobs on a county-by-county basis, then we can break these counties down over the 6 months phase-in period—actually it is 7-months phase-in period; six plus one—then you will have the information. We will know exactly where the jobs are. We will know exactly who is unemployed, we will know exactly who is employed. Now why is that so important? That is important because what we have done with HB 2044 is, we have taken all the unemployed and put them in one basket. If we take and allocate the jobs on a county-by-county basis, then we can say, in Dauphin County we have 25 recipients that fit into the unskilled. It is going to be hard to find jobs for them. We can say in Philadelphia County, we have 30,000 unskilled. So we know just how much money we need to put into the development of training programs to develop the unskilled. It just does not make good sense to me to try to allocate money to develop the unskilled when you do not know how many unskilled you have in terms of numbers who need to be developed. Now there are the figures. There are the figures on that. Let me continue.

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

Mr. WILLIAMS. Mr. Speaker, would the gentleman stand for a brief interrogation?

The SPEAKER. Would the gentleman, Mr. Street, stand for interrogation?

Mr. STREET. Yes.

Mr. WILLIAMS. Mr. Speaker, the statistics and the analysis that you have provided thus far is at least very interesting and especially telling if we are talking about the concern for jobs. Before you proceed, I just want to get a little clarity at this point so that I can follow your very extensive and thorough research on the subject.

Are you suggesting that, in your program or your amendment, that the jobs be identified county-by-county so that basically if we are committed to a job program somehow, we can identify where those are and for the folk who can meet those job situations so that we can develop job programs for those areas?

Mr. STREET. Absolutely. Let me just clarify that for you. If under this—and that is why I turned to this—if under the Community Conservation program we are going to have a total of \$8 million that is going to be given to community groups for training programs, then we have to know how best to allocate that money. The best way to do that is to deal with the unemployed and the people who need skills in each county. Otherwise, what can happen is we can find “X” number of dollars going to a county that has no need to train anybody. We could take Franklin County. In reviewing the figures in Franklin County, I find out that there are, one, jobs available in Franklin County on the unskilled level that deal with farms on a seasonal basis. In study I found out that a number of GA recipients that are placed into those counties are placed in those seasonal jobs, Mr. Speaker, and that is the reason why we have the average GA recipient only remaining on general assistance for 3 months or less, because they are in seasonal jobs. But I am going specifically to the way we are going to allocate the money that is for jobs. It does not make sense to allocate money for Philadelphia if we have allocated, as the amendment says through the Bureau of Employment Security, all of the GA recipients in that county and we find out that we only have, after that process, 10,000 left. Out of that 10,000 there are only five unskilled people; all the other people are skilled people or clerical workers or white-collar workers. So the amendment goes to the allocation of the training programs and how we can best allocate the training programs as is outlined in the Governor’s budget and what we are going to do with this HB 2044 in terms of finding employment for the recipients.

Mr. WILLIAMS. Mr. Speaker, one further inquiry from what you say. Are you suggesting in any way that the moneys that we get for job training, and so forth and so on, can be so misallocated if we do not do something about it that, indeed, we may waste millions of dollars?

For instance, I was very concerned on this last resolution about possibly \$30 million laying somewhere especially when we are talking about a savings in this bill of \$34 million. It almost came out to the exact same thing. Are you saying that if certain things do not happen and certain procedures are not followed and certain programs are not identified, then we very well may be wasting millions of dollars and at the same time not getting the jobs situation taken care of, generally speaking?

Mr. STREET. Yes. That is what I am doing. What I am trying to do is avert and short-circuit the problem that we have developed around the PIDA program. The PIDA program was designed to give jobs just as BES.

My analogy and the facts that I have shown on the page before that indicated that, while we deal on a geographical location rather than individual skills of recipients, we can show that through PIDA we put 1500 jobs in Philadelphia, that has a high unemployment, but the question that comes back to us, Mr. Speaker, in direct answer, is, what type of jobs are we putting there? We put 1,500 jobs there that dealt with PhDs, that dealt with people who are very highly

educated, but it did nothing to reduce the unemployment of the highest number of people that are GA recipients, which are the unskilled.

So, what I am saying is that the money for training programs that will be developed should be mailed into the county or should be allocated to the counties, based on the number of people that we have identified who are truly in need of that particular service based on the job-placement formula that we use from BES. That is what I am saying.

Mr. WILLIAMS. Okay. One final interrogation at this point so you can continue your rather learned analysis. I know you have some more there, but before you continue, one of the things that I was wondering about is, how can we get the information county by county in order to know what is there and what is needed? For instance, in Luzerne County do we know what the job situation is? Do we know what the matching need is? Do we have that information, or where can we get it? What is the best way to go about that?

Mr. STREET. Well, the best way to get it is to ask me. I have it.

Mr. WILLIAMS. I here and now, Mr. Speaker, ask you.

Mr. STREET. Okay. If you give me a moment, I will give reference to my voluminous pile of information and I will find that, and I will give that to you.

Mr. Speaker, can the House be at ease for 1 minute?

Mr. WILLIAMS. Mr. Speaker, while you are gone, I would really appreciate that information because, based on the analysis you have so far made, I think everyone ought to be at rapt attention. We very rarely have a good solution in order to save us some money and in order that we will stop wasting the taxpayers’ money. So I would really appreciate if you can describe for us what that condition is, and maybe the members from those various areas might indeed also be enlightened on the need for an appropriate mechanism in their own specific county, and I am sure that probably the first interest of every Representative here is first to know what is going on in his or her county in order that they can vote intelligently, because that has a very special impact. At the same time, I am sure that what potential there is would be also of interest to them and to the General Assembly in general.

Mr. STREET. I have it in several ways, Mr. Speaker, and I need to know exactly which way you want to do it. I have it in the number of GA recipients by legislative districts, if that is what you are looking for, and I also have it by counties. My amendment goes to counties. So I would imagine that is what you are looking for.

Mr. WILLIAMS. Mr. Speaker, I think that the county-by-county information might be especially appropriate, because I believe that the moneys that are eventually gotten from the various sources for community development are by county unit and not so much by legislative or representative districts. For instance, would you have—I will just pick one off the top of my skull—it for, say, Luzerne? I do not know why I said Luzerne, but for instance, would you have that information for Luzerne County?

Mr. STREET. Mr. Speaker, can you move back from the mike a little bit so I can pick up on your questions a little clearer? You are somewhat muffled.

Mr. WILLIAMS. I sound like Milton Street every now and then when I get too close. I am sorry about that, sir.

I was suggesting that I just picked that Luzerne County as an example. What information would you have on Luzerne County that meets the question that you are talking about?

Mr. STREET. All right. The amendment would simply say that in Luzerne County we have 2,685 GA recipients in Luzerne County. So what that would say is that when they went through, if this amendment is attached, the Bureau of BES then would begin to, by their job readiness, ascertain how many people in Luzerne County out of the 2,685 are unskilled, which are, according to my chart and according to the U. S. study, all right, are the hardest people to find jobs for and the people who would need some type of training. Out of the 2,000 now, Mr. Speaker, if we deal with it that way, we do not know whether all 2,685 are white-collar workers or not. They might be white-collar workers. But if we do not develop a formula by way of amendment, then what could happen is Luzerne County could possibly get \$2 million to implement training programs that are not needed. I mean, what would Luzerne County need with training programs if they did not have anybody who could be the recipient of the training? It is not necessary.

Mr. WILLIAMS. For instance, suppose you have training program money and, as you say, they may not need that training, they may have readiness for jobs that are not available, but what happens to that money, that \$2 million or so? Is it turned back or is it utilized in the training program just to go through the motions?

Mr. STREET. Well, right now, Mr. Speaker, out of all the information I have, the money would be used. However, the recipient of the money decided that he wanted to use it. Maybe he would be trained but did not need training. I do not know.

Mr. WILLIAMS. For instance, you had pointed out an example of where \$5 million went to universities and out of that there were two unskilled persons; I think you said janitors. I think that you suggested that the rest of the money went maybe for doctors, physicists, or what have you. If what you say is correct, then that money was utilized for people who did not really need training. If that is so, Mr. Speaker—you know it is a funny form, or at least to me it seems like a funny form of a different kind of welfare, this money that is not needed really for anything other than subsidies for a person who already has the training, and I am just wondering whether or not from your formula, just stopping at Luzerne County, that moneys may in fact be spent for training that is not needed. So what you are really doing is providing a form of support that otherwise would not be eligible? Is that what I am getting?

Mr. STREET. Yes, that is correct.

Mr. WILLIAMS. Okay. One of my concerns, Mr. Speaker, in this inquiry is that the bill, that you seek to amend, seeks to take away money assistance welfare for a lot of persons who, I understand, cannot get a job if they wanted to. But I just wonder how different it is to give or provide a simple form of assistance to persons needy and poor who cannot find jobs as compared to providing moneys, although on the CETA or some other program, to folks who have qualifications and may not fall in the category but are getting money anyway. Is there any real difference in providing moneys to assist other than the fact that one is poor and unskilled and one is maybe in temporary need or some need of a job, but skilled? Is there a difference in basics?

Mr. STREET. Well, there is a difference, Mr. Speaker, in the sense that the community conservation program, which I am trying to address with this amendment, is specifically for the unskilled, because that money will be channeled into communities and community groups. As we understand that, those community groups will then turn and train the unskilled. But what the amendment does is it gives us a formula so that we can allocate the money based on needs as defined by the number of people who are unskilled and the hardest people to place rather than by geographical locations. You are absolutely correct in your assessment on the basis of geographical location. For example, suppose we give Adams County \$5 million for training. Adams County only has 150 GA welfare recipients. Why would they need that much money? But Adams County could be the recipient of that much money based on the geographical formula. So if we take people off the GA rolls based on a formula that we developed with the BES, which states that BES must offer these individuals a job—that is what the amendment says, BES must offer these 150 people in Adams County a job—and in offering these people a job, they can ascertain their job readiness. By the job readiness we can ascertain how much training money we need to put into those individual counties. That, to me, makes a whole lot of sense. Otherwise, Mr. Speaker—and I think that it is clear to most people on the floor of this House, because I have given the analogy with the PIDA program—we are going to allocate money based on counties and not based on need that goes right to the heart of this training, which will never result in any real productive, viable, trained individuals to take advantage of the job training program that is put before this House in the Governor's message.

Mr. WILLIAMS. Mr. Speaker, two very direct inquiries: Number one, can you ascertain or is it ascertainable, if you took a balance or need in the allocation of that kind of community money, could we tell whether or not the alleged saving of \$34 million in HB 2044 can compare with the moneys that we might be misspending or misallocating or misusing per year? Do we know or could we ascertain that from an intelligent step-by-step inquiry into the process you are now advancing?

Mr. STREET. Absolutely, absolutely. We could go right to the heart of the waste; the amount of money that was wasted; the amount of true savings that HB 2044 was going to provide for us.

If you look at it—and the reason why I want to do this by county is because we do not have a job training program that will address the needs of the people who are going to be taken off, Mr. Speaker, because we have, by my charts that came from the study, okay, that came from the study of the United States Department of Labor, that 56 percent of the BES people were unskilled. Out of that, BES turned right around and said, we cannot place them. They are the hardest people to place. We cannot find jobs.

Now, my point is, let us take the base figure of 56 percent. If we take the base figure of 56 percent and we assume that that is correct, then 56 percent of the 80,000 people that HB 2044 is going to take off the rolls are going to be unemployable, hard core, and if we deal with those figures, Mr. Speaker, you will know that \$8 million could never train 56 percent of 80,000. That is more than half. We are going to take \$8 million and set up training programs to train over 40,000 people. That is the reason why I want to break it down into counties; that is the reason why we want this amendment attached, because there is going to be a fight and a scramble by the members of this House through community groups to get a chunk of this training money to train people, and that \$8 million is not going to train the 42,000 or 43,000 people who are going to need training according to that study.

Mr. WILLIAMS. Mr. Speaker, just getting back to the misspent moneys that might be in training money. I do know what the figure is. Is it possible that we could be actually wasting more money in the long run rather than saving \$34 million a year as a result?

Mr. STREET. Yes, Yes. We would be wasting money, Mr. Speaker, because the money that would be earmarked for job training would not be used, I assert, as job training, but would be used for some other purpose, and the only way we can get a handle on that is to adopt this amendment and make sure that it goes county by county by county so that we can control it. You are absolutely right.

Mr. WILLIAMS. Mr. Speaker, have you either talked to or have the representatives of the various counties that you have listed there that information?

Mr. STREET. No, I have not shared this information with representatives from the individual counties. I assume that by the way they are voting on this bill that they have it, and that the number of GA recipients in their individual districts are insignificant, they are unimportant. I categorize them throwaway people.

Mr. WILLIAMS. Mr. Speaker, I would like to ask so we can get a picture of what that looks like, if you could sort of indicate county by county what that condition is? Because if you are right, and I believe you are, we are really overlooking a very serious responsibility fiscally. At the same time we are affecting a group of people in a way that is negative to help in saving us money. So I was

wondering if you could give us basically the information you have, the factors that hook up in each county, number by number, or any significant parts of what might be of some interest to the basic questions that we have discussed.

Mr. STREET. All right. Now let me start off, if we adopt this amendment, Mr. Speaker, I think an appropriate county to list first would be Franklin County. In Franklin County, we have a GA recipient who would be assigned, based on the system that was designed if this amendment were adopted, 361 GA recipients in Franklin County. In Dauphin County, which, of course, could qualify for some of the money, the GA recipients we have there are 3,126 in Dauphin County. These recipients in Dauphin County would also be placed, because it is such a high number, to BES, the Bureau of Employment Security, and they would be categorized. Once we have dealt with that 3,126 in Dauphin County, out of that number we may be able to determine that only the 126 unskilled are the hardest to place. So based on that, if this amendment was attached, we would be able to—

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I am sure the two parties to this debate, Mr. Williams and Mr. Street, are being enlightened by the information that they are sharing one with the other, but I am questioning the relevancy of this as it pertains to the amendment that is before the House, which deals with referral services. I would appreciate it if the gentlemen could perhaps go in the back room and enlighten each other and instruct each other as to all this wonderful information, but other than that, I would like them to restrict their remarks to the amendment that is before the House and not delay any more than is necessary. Thank you, Mr. Speaker.

The SPEAKER. The Chair asks that the gentlemen, Mr. Street and Mr. Williams, please confine their questions and responses to the amendment before us. The gentlemen may proceed.

PARLIAMENTARY INQUIRY

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

Mr. STREET. I rise to a parliamentary inquiry.

The SPEAKER. The gentleman will pose his question.

Mr. STREET. Mr. Speaker, am I permitted to discuss in detail the amendment that is before the House? Do the rules permit me to do that?

The SPEAKER. The question arises, what is detail? If the gentleman would assume that detail would be the same set of figures for 67 counties, Adams through York, the Chair would believe that would be repetitious and redundant and would not be proper debate in this House. The Chair also believes, though, that the gentleman is entitled to take the time that is necessary to explain the amendment which he has offered. It is a 6-line amendment, and it would appear to the Chair that adequate time has been

given to the gentleman in explaining his amendment, and in responding to questions from other members as it pertains to the amendment.

The Chair feels that he has been lenient in permitting the discussion to go on untethered, but the Chair would hope that the additional information that the gentleman, Mr. Street, would like to impart to Mr. Williams or any other member or members of this House could be done in a manner other than being repeated here verbally on the floor of the House. And the Chair would ask the cooperation of the two gentlemen to confine their remarks to the 6-line amendment which is before us, and if they would like to exchange numerical information of this voluminous type that the gentlemen have been discussing for the last half hour, they do it among themselves without the benefit of the other members of the House.

Mr. STREET. Mr. Speaker, I have a lot of problems with the remarks that were just made by the Speaker. I am not involved in the legislative process for the purpose of not sharing information with all of the members. I am involved in the legislative process by taking that process and making and using it within the rules and regulations of this House to best represent the people who sent me up here to represent them. And I have an amendment that deals with the fact that it would make the allocations program of these jobs, of this job training, and the amendment says that the people who would be taken off the rolls by this job would be referred to BES and allocated jobs county by county. Now it seems like to me that gives me right under the rules to make a discussion and justify my wanting to send jobs into Adams County or into Wayne County or into Tioga County or into any other county. I do not think that that information is out of or is not germane to the amendment that is before this House.

QUESTION OF INFORMATION

The SPEAKER. The gentleman, Mr. Street, wishes to raise a point of information?

Mr. STREET. My point of information goes to the legislative process. Under the rules, I believe, Mr. Speaker, if I understood you correctly, that I have the right to discuss the amendment that is before the House. And I think that the amendment that is before the House is germane to the issue in terms of the number of people in each county.

I am having problems with the Speaker suggesting that Mr. Williams and Mr. Street go into the back room and discuss something that we feel is very, very important to everybody in this House and to the people who are listening around this Capitol on the squawk boxes. I am wondering if this Speaker by that remark was saying to me that it does not matter what you say, it is not going to have any impact. Therefore, we wish you would not burden us with exercising your rights under the rules for saying it anyhow. I need clarification on that.

The SPEAKER. Will the gentleman yield.

I would hope that the gentleman understands that the Chair did not say or intimate that he was saying what the

gentleman from Philadelphia, Mr. Street, just repeated he said. The Chair will attempt to make it more clear.

Under rule 10, titled "Debate": "When a member desires to address the House, he shall rise and respectfully address himself to 'Mr. Speaker.' Upon being recognized, he may speak, confining himself to the question under consideration and avoiding personal reflections."

The gentleman rose in his place and was recognized by the Speaker to debate the amendment that he offered.

Somewhere along the line, the gentleman is attempting to put the Speaker in the position that the Speaker is going to have to rule that he has transcended the rules of this House. The Chair does not like to put be in that position. But it is the opinion of the Chair, it is a personal opinion, that the gentleman is infringing upon the rights of the other members of this House by continually bringing information to the membership of this House that, in most cases, is not pertinent to the question before it.

Now if the gentleman will continue to debate his amendment, he is in order, and the Chair will permit him to continue. If the gentleman continues to take up the time of the House on matters which would appear to be not directly pertinent to the question at hand, then the gentleman, Mr. Street, will have forced the Chair to rule. The gentleman may proceed.

QUESTION OF PERSONAL PRIVILEGE

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

Mr. WILLIAMS. Mr. Speaker, I rise also to a personal privilege or otherwise in response to what Mr. Ryan says we said, because he also included this Representative from Philadelphia.

I just want to say that I am surprised once again that in 2 days Mr. Ryan suggested that any member of this House—and he said it—should go to the back room to discuss, when we worked so hard on the reform of the Sunshine rule, to correct the problem. And I am sure that there is nothing about Mr. Street because he comes from North Philadelphia or I from West Philadelphia that you selected that need to make that exclusion. But, nevertheless, Mr. Speaker, we all know Mr. Street and I, as members, strongly disagree with this bill.

I think most people here fully understand that our opposition is very serious, and in form. And we know that most members have problems with that. But, Mr. Speaker, there either is or is not, under these rules, room for any member on any bill, difficult or not, to say relevantly what he has to say. I suggest to you, Mr. Speaker, I would hope that your motivations for us to go to the back room are not based on your inconvenience or the inconvenience or the unpopularity of our position. I would hope that is true.

I would hope that a slight of hand to get us into this very discussion is not something designed to take us off the heart of the bill. Everybody here knows and has been discussing jobs. The very sponsor of the bill says this is welfare reform to take ablebodied people off the rolls. How

more relevant is it? And there are other amendments that you already are dealing with entertaining having to do with that eligibility, having to do with that opportunity.

I do not think there should be a discrimination in my need to have that information disseminated, or Mr. Street's right to disseminate, as opposed to any other member who already has plans, and you are talking with them on the very subject we are talking about now. I point out to you I am fully aware of that, and Mr. Street has simply pointed out that *on money, on training and where you are going to put it*, if there is going to be any common sense in your "reform," is to take the information detail by detail. And I might add that many times when we have taken the time to do that, then we know what the full picture is.

Two final points, Mr. Speaker, because it does disturb me that you did that twice in a day, twice in 2 days. One is, it is very, very obvious that Mr. Barber's first motion on recommittal was to discuss the very things we are discussing now. And so what you have suggested is, do not discuss it in committee and come on the floor of this House and do not discuss it. Mr. Street's discussion and my inquiries, you know, quite frankly, I do not really know. I have not discussed this with Mr. Street before, believe it or not, and I do want to know, and it is true, Mr. Speaker, that there just may slip out some relevant information to the other members. And if you are going to vote the way you are going to vote anyway, what is wrong with folks being afraid of thinking; and what is wrong with Mr. Street and I having that interrogation going on? Nothing different about man to man as for anybody else here. God made us all.

So I do not want you to think that because Mr. Street and I may be friends—and we are not that friendly, and I do not know what he is talking about—but that is not a reason that Mr. Street and I may be together on this. That is not relevant. I either have a right to do that or do not. Mr. Speaker, I just do not want to be constrained because of some subtle prejudices—not race; I am not talking about race—but prejudices because you think that guy and this guy think alike. So what? Republicans can act together, Democrats can act together, for the benefit of everybody. Those are my only comments, Mr. Speaker, on that, because it does disturb me, and you know I am going to talk. *But I am going to follow rules, and when things are clearly relevant, please, I do not think you ought to intimidate and suppress information.*

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

Mr. RYAN. To reply to the gentleman.

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

Mr. WILLIAMS. Which gentleman?

Mr. RYAN. Both gentlemen, then. Gentlemen plural.

Mr. Speaker, what I was suggesting is that under the rules, I suppose, you can filibuster. There is nothing in there that speaks to that. It is a judgment decision on the part of the members of the House and the Chair as to when a person is taking up the time of the House unnecessarily.

The stated purpose of some of the opponents of this bill was to do just that. Mr. Richardson, I believe, was quoted as intending to come up here and filibuster this bill and prevent it from becoming law. Mr. Street has brought in some 400 or 500 amendments; I think by last count, 260, 300, 400, I do not know. Mrs. Taylor probably has a better count because she is keeping a running tab of what it is going to cost. But, in any event, as I observed the exchange between Mr. Street and Mr. Williams, it was almost like what I observed yesterday when Mr. Street was asking questions of Mr. Street and getting the answers that he fully expected.

My impression was that Mr. Williams and Mr. Street had probably put the script together some time earlier today over lunch, and I thought, inasmuch as they are interested in exchanging information, they could go in the back room, sit down, have a cup of coffee, and prepare the script for tomorrow. Not that we would violate the Sunshine law, but, rather, you could have a free exchange of information rather than take the time of the House.

Now if I wanted the information about my county or any of the other counties, I would ask Mr. Street. That is normal. You do not have to do it for me. You do not have to say, hey, what is going on in Franklin County, what is going on in Delaware County, Dauphin County, and the like? If I am interested, I will find out for myself. I am not saying you do not have the right to do it. I think it is becoming blatant, however, that the time consumed in processing this series of amendments is considerable. Somewhere along the line people are going to suffer because of the time we have spent here, perhaps unnecessarily. Maybe not. Maybe through some process of osmosis we will learn something; we will learn that it is easy to sleep through some of these amendments when I do not think that the discussion that is going on in support of them—

Mr. WILLIAMS. That is not unusual.

Mr. RYAN. No, it is not.

Mr. WILLIAMS. That is no tradition that has been broken.

Mr. RYAN. I shook you awake a couple of times.

The SPEAKER. Will the gentleman yield? Mr. Ryan has the floor.

Mr. RYAN. The fact remains, it is my judgment, only my judgment, that there has been, by design, a process instituted here in connection with this bill that is designed to obstruct the consideration of the bill. I read some of the amendments prepared that were, again in my judgment, somewhat outrageous, perhaps frivolous, and I believe the perception of the casual observer, let alone the interested observer, is that this is a systematic approach being made by the opponents to the bill to delay it; not to love it to death, but to delay it to death. I am simply stating, and you know very well the reason for my taking the microphone is to say, Mr. Williams, you and Mr. Street are probably within the rules at the moment. You are not fooling me; you are not fooling anyone else in this House. I do not think you are fooling the people in the gallery and

certainly not fooling the people who are at the other end of these speakers in the different office complexes. It is a process of delay, in my judgment.

Mr. WILLIAMS. Mr. Speaker, may I ask the speaker, Mr. Ryan—

The SPEAKER. Because of the noise in the gallery, the Chair is unable to hear the gentleman. The Chair would hope that if he has any influence with his guests, he would ask them to please be quiet.

Mr. WILLIAMS. Mr. Speaker, I have more influence than Mr. Ryan, and I am trying to get his attention for interrogation.

The SPEAKER. The gentleman, Mr. Williams, asked to interrogate Mr. Ryan?

Mr. WILLIAMS. Yes, I did.

The SPEAKER. Will the gentleman yield until we have order? The Chair is unable to hear the gentleman and the Chair can only assume that the other members are unable to hear the gentleman. Will the sergeant at arms please ask our guests in the balcony to restrain themselves from making unnecessary noises?

Mr. WILLIAMS. Maybe we should turn off the mikes. See what you started now? Can we have some quiet in the gallery, please?

Just when I had you on the ropes. I really believe, Mr. Ryan, you planned that by design.

The SPEAKER. The Chair thanks the gentleman. The Chair recognizes Mr. Williams.

Mr. WILLIAMS. Mr. Speaker, on the note that you talked about, the concern about the time, I want to ask if you remember the amendment process to the death penalty bill, I guess 4 or 5 years ago in this chamber?

Mr. RYAN. No, I do not.

Mr. WILLIAMS. You were here, were you not, Mr. Speaker?

Mr. RYAN. How many years ago?

Mr. WILLIAMS. Senator Gekas had sponsored a death penalty proposition shortly after the Supreme Court—

Mr. RYAN. If you were here, I was here.

Mr. WILLIAMS. Okay. Do you remember we had 2 long days of debate, and we just had 2 today?

Mr. RYAN. No. I do not remember that.

Mr. WILLIAMS. Okay. Well, I call your attention to that, and we did have 2 long days of debate after which—and it was lengthy, unpopular debate—we all recommitted that bill, because in that long, tedious process it was understood that the point that I was making, although unpopular, indeed was true. But if you were here and if you check the record, that did happen. We have only spent 2 days here. My other question to you, Mr. Speaker, is the number of amendments you talked about, 200 or what have you, would you agree that we have had budget fights and may have one even worse soon that has had at least a couple of hundred amendments to it? You would agree with that, would you not?

Mr. RYAN. Yes, sir.

Mr. WILLIAMS. Mr. Speaker, I am just going to say two final points. I am just saying to you that when the serious fundamental questions do arise, we always have a lot of amendments, and let us put it to two specific areas, and one situation in which I believe I and Mr. Joseph Rhodes were the movers at that time, and indeed we did convince this House about the “bona fides” of our ideas, and I am just trying to say, Mr. Speaker, that just because of the number of amendments is no reason to indicate that motivations may not be serious and valid. I want to just tell you that you pay a great compliment to the “Milt and Hardy” Show, because, frankly, very frankly, we did not prepare, and I just think that that really tells you how much truth and common sense is in those propositions, because it is so easy to follow. It is almost like when truth is questioned, the valley will rise again.

But I really appreciate the compliment because the interchange here is on serious questions on my mind, unrehearsed with Mr. Street, and the answers come so readily, and I am so glad he has the information to back it up. And so we truly are doing something—and I want you to know this because you, I guess, touched on the preparation idea, and I understand what you mean. If you prepared it, talk to yourselves. I understand that. We did not do that, Mr. Speaker, and I thank you for the compliment, and I thank you for your indulgence, because I want to assure you that what we are going through right now—and you say we are within the rules—is a very sincere effort, maybe futile, of letting the folks here know of the economic and fiscal and human expense that will take place—

POINT OF ORDER

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

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

The SPEAKER. The gentleman will state it.

Mr. GALLEN. I do not know what this is about. What is the subject before the House right now?

The SPEAKER. It is the Chair's recollection that the subject before the House is amendment 5712 introduced by the gentleman from Philadelphia, Mr. Street.

Mr. GALLEN. Mr. Speaker, I think we ought to get on with the discussion of the amendment and only the amendment.

The SPEAKER. Does the gentleman, Mr. Street, wish to debate his amendment any further?

Mr. STREET. Yes, I do.

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

POINT OF ORDER

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 order.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS. Mr. Speaker, the point is that when we ceased, I was either in the process of interrogating Mr. Street or he was answering, and I have no problem relinquishing but I just want the Speaker to know that as you are providing the information, I do have points of interest that may arise to reinterrogate you on. But I think my line of interrogation when we left, if you choose to go into, was the county situation.

The SPEAKER. Will the gentleman, Mr. Street, permit himself to be interrogated?

Mr. STREET. Yes.

The SPEAKER. By Mr. Williams?

Mr. STREET. Yes.

The SPEAKER. Mr. Williams may proceed.

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 wanted to relate the fact that while the debate was going on relevant to rule 10, rule 11 indicated that the member was interrupted during that debate by Majority Leader Ryan. At that point, Mr. Speaker, if I am not correct—and you can correct me—at that point, then a rebuttal to the comments made by Mr. Ryan ensued by Mr. Williams. After that, Mr. Ryan rebutted the question concerning what had been said, and then Mr. Williams went on to talk. At that point, Mr. Gallen rose to his feet to raise a point of order on what we were discussing. I just think for the members everyone needs to know that the debate was going along very well, but on rule 11 he was interrupted, and that is why we got off the point we were attempting under the debate. I just wanted to clarify that for the members of the House.

The SPEAKER. Will the gentleman make his point of order?

Mr. RICHARDSON. I did, Mr. Speaker.

The SPEAKER. The gentleman did not make a point of order; he made a speech, and the gentleman violated the same rule that he just read from.

Mr. RICHARDSON. No, I did not violate it. I just asked for a point of order to clarify a point, Mr. Speaker, and I did that already. Thank you very much.

The SPEAKER. The Chair has recognized Mr. Williams to interrogate the gentleman, Mr. Street.

Mr. WILLIAMS. Mr. Speaker, I had suggested in my interrogation that the speaker was, at that time, on the subject of the county information, and, if the speaker would provide that, I would appreciate it.

LEAVE OF ABSENCE CANCELED

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

Mr. GANNON. Mr. Speaker, I requested a leave earlier today, but I returned to the floor. I would like to request the chief clerk to put me on the roll and open my switch. Thank you.

POINT OF ORDER

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 order.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS. Mr. Speaker, at the last posture of official action, I had interrogated Mr. Street, and he consented to answer. I was waiting for my answer and I do not know how we moved from that point on to the amendment, but I am entitled to an answer if he consents, as he indicated he did consent.

The SPEAKER. Does the gentleman, Mr. Street, have anything further to say?

Mr. STREET. Yes.

The SPEAKER. The gentleman may say it.

Mr. STREET. I want to reemphasize the importance of this amendment. This amendment, again, is very important, and I am saying this for the record. It is important in terms of figures that I have shown on unemployment; it is important because we have no idea of the number of people who are unemployed, their job readiness, nor their classification, in terms of blue-collar, unskilled, skilled, or anything else; and with that, I would ask a "yes" vote on the amendment.

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

Mr. RICHARDSON. I would like to interrogate the gentleman, Mr. Street.

The SPEAKER. The gentleman, Mr. Street, has the floor. The gentleman, Mr. Street, may continue.

Mr. RICHARDSON. But I would like to interrogate him.

Mr. STREET. I have completed my remarks. I ended by saying with those statements, I would ask for a "yes" vote on the amendment.

The SPEAKER. The Chair thanks the gentleman. The Chair now recognizes the gentleman from Philadelphia, Mr. Richardson, who asks the gentleman, Mr. Street, if he will stand for interrogation. Mr. Street said he will. Mr. Richardson may proceed.

Mr. RICHARDSON. I just have some basic questions. One, I would like to get into the area of your amendment. In the statistics that you showed us there— Could you have the chart set up so we can see it?

The SPEAKER. The Chair would suggest Mr. Street take the charts back to Mr. Richardson so he could see them. I do not believe he can see them from there.

Mr. RICHARDSON. Well, maybe you cannot see them because they are not facing you. What I am trying to do is just ask that you point to them, because the specific information that we are trying to get is going to be relevant, hopefully, to the rest of the members who do not have this information. All we are asking is an opportunity to point to certain sections of the charts. I do not need to see it, and if you do not care to have anyone hold it up, then, fine, it is all right with me.

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

Mr. RICHARDSON. Okay. Are they going to hold the chart up or what?

Mr. Speaker, what I was referring to was the blue-collar workers. Is there anything in your information that could determine for us the amount of money that it will cost, particularly in your amendment, in a breakdown county-by-county for blue-collar workers?

Mr. STREET. I did not get the question, Mr. Speaker.

Mr. RICHARDSON. What I asked was whether or not there was a breakdown in the chart where you have blue-collar workers. Is there any breakdown in terms of the amount of cost there is going to be in the Commonwealth of Pennsylvania for GA recipients who fall into the category of blue-collar workers?

Mr. STREET. Not on counties, no.

Mr. RICHARDSON. Okay.

Mr. STREET. I do not have that on this chart, but I have that information.

Mr. RICHARDSON. You have that information, okay.

A major concern I have, Mr. Speaker, is the fact that this amendment, particularly as it relates to the number of persons that you called off county by county, does not indicate to the members the persons who are employable persons by county. For instance, you read off 367 in Franklin County. What would that number be if broken down in terms of employables for that county?

Mr. STREET. Well, that is the purpose for the amendment, Mr. Speaker. See, we do not know now. All we know is that there are that many unemployables; I mean that many so-called GA recipients who are classified as employables, but we do not have the information that will tell us the job readiness. Job readiness is very, very important. So we may have 300 people or 400 in a county that are unemployed, but we may not have any who have a low rate of job readiness. They might be white-collar workers. They might be service workers. We do not know. If we adopt the Street amendment, then we would be ordering that the Department of Health and Welfare direct people county by county to BES. The Bureau of Employment Security would send them out on a job, and by that process we would determine job readiness, which would, one, give us the information that we need in terms of how much money we should direct in each county for the training of the unskilled. We do not have that information.

Mr. RICHARDSON. You are saying at this point that that information is either not obtainable or we cannot get it

or has not been provided? What I am trying to get at is, specifically for the record, is this information that you requested and have not been able to get from the Department of Welfare?

Mr. STREET. Yes, we have it on a statewide basis, but we do not have it broken down in terms of job readiness on an individual county basis.

Mr. RICHARDSON. What about the county boards of assistance? Have they been helpful at all in rendering this kind of information so that the members of this House would know exactly what they are voting on relevant to your amendment that is dealing with county-by-county breakdown? Have they also turned their backs with that information?

Mr. STREET. No, the county board of assistance makes available any information that you would request. That is why it is beyond me, and it is simply staggering that my opposition does not have the information that it would seem necessary to pass this bill.

Mr. RICHARDSON. Okay. I want to thank the lady and gentleman for holding the chart up. I just needed that input there concerning those two points. They can set it down.

I guess my other line of interrogation, Mr. Speaker, would probably fit around the whole concept of age in relationship to age categories. I also happen to have a study, too. There was a special study done in relationship to the whole question around GA recipients, if you will bear with me just a moment—Does your amendment also take into account the handicapped person?

Mr. STREET. Yes; it would cover everything. It does not mention handicapped specifically, but in assigning jobs on a county-by-county basis, we would be able to ascertain who had a handicap and should be placed under chronically needed rather than transitionally needy.

Mr. RICHARDSON. I think, Mr. Speaker, I have one more question, and then I will relinquish this microphone.

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

Mr. RICHARDSON. No. I have another question.

PARLIAMENTARY INQUIRY

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

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

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

Mr. GOEBEL. Would I be in order at this time to offer a motion for a 2 minute restraint on debates?

The SPEAKER. The House will be at ease.

In response to the inquiry by the gentleman, Mr. Goebel, the Chair refers to rule 11, "Interruption of a Member who Has the floor", and the Chair will read: "A member who has the Floor may not be interrupted, except for questions of order or by a motion for the previous question." Therefore, it is the Chair's response that the gentleman would not be in order at this time.

Mr. GOEBEL. Thank you, Mr. Speaker. I would not care to move the question at this time, although that is not a too far away possibility. I think that then I would prefer to be recognized as soon as the Speaker would find the opportunity.

The SPEAKER. The Chair thanks the gentleman.

Mr. Richardson may proceed. Will the gentleman yield?

For what purpose does the gentleman, Mr. Davies, rise?

Mr. DAVIES. No, Mr. Speaker. I would be in violation of the same rule, so I will have to wait my turn, sir. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Mr. Richardson may proceed.

Mr. RICHARDSON. I am just trying to wait for all the disorder. You know, everybody is moving around.

Mr. Speaker, could you tell me whether or not in your amendment—

The SPEAKER. Would the gentleman, Mr. Street, listen to his friend, Mr. Richardson? The gentleman is trying to interrogate him.

Mr. STREET. I am listening.

Mr. RICHARDSON. I just wanted to ask whether or not the Pennsylvania employe program that was set up under the Department of Welfare would have anything to do with getting or ascertaining in your amendment a job referral for persons who do not receive, who do not get jobs now. There was an act created in 1976 that was supposed to have been enacted by the Pennsylvania Department of Public Welfare to in fact give at least job referrals to people, and this was supposed to have been a bona fide employment program. Would you tell me whether or not your amendment would require those persons to at least seek some employment from that program?

Mr. STREET. Yes, Mr. Speaker. What would happen would be it would all go through the Bureau of Employment Security. The Bureau of Employment Security would then send out the jobs and appoint people to jobs or make applications for jobs based on the county, and again, we could determine their job readiness by doing that. So the amendment would go to all those questions. If we are really sincere about jobs, it would, yes, go to that point.

Mr. RICHARDSON. Thank you very much, Mr. Speaker. I would like now to speak on the amendment.

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

Mr. RICHARDSON. Mr. Speaker, I just think that this speaks to the whole concept of what we have been saying earlier about the fact that here we have an opportunity to vote for an amendment that is going to deal with giving some incentive about the amount of money that is going to be spent per county before you talk about taking them off the welfare rolls. There seems to be a misconception given here in the House, particularly as it relates to the various programs that presently exist, and maybe you are not aware of it but these programs have not been functioning. Although there are several, they have not been functioning to a point that people can readily get jobs. It would seem to

me that this is a fair and equitable way to at least begin to move in that direction and support the Street amendment. If you want change—and we are looking for change—then there has got to be some way that we deal with it from a pragmatic standpoint. I support the Street amendment and ask the members of the House to do the same thing.

In closing, I just want to say that there are several things that could be done and several things that have been approached, but to really deal fair, to really be fair about the whole process, the only way to do this is county by county. You already heard Mr. Punt say that he cannot give you specifics on how to deal with this problem because he does not have the facts. This interrogation has not only given us a chart but the facts, and it has outlined to us that if we go county by county, we will be able to deal with this particular problem to resolve our point.

I would hope that the members of this House will support the Street amendment. Give us an opportunity to at least get this piece inside the bill so that we can try to correct an evil bill.

The SPEAKER. Does the gentleman, Mr. Davies, wish to debate the amendment?

Mr. DAVIES. No, Mr. Speaker. All I care to do is make a statement relative to the offers made by the presenter of the amendment.

The SPEAKER. Will the gentleman yield until we have disposed of the amendment then?

Mr. DAVIES. Well, it is actually related to a statement to it, so I might as well say in the terror of the moment that it would lend itself to the debate.

The SPEAKER. The gentleman may proceed.

Mr. DAVIES. Not to bring about the wrath of my leader or to be chastised by the leader, but I do have a whole series of questions relative to the presentation made by Mr. Street on his amendment.

I would caution the members that when you do go to statistics such as Mr. Street has used here, there is a vast degree of validity and margin of error in those types of figures. He has taken some raw figures and made a very good visual presentation of those figures. However, the validity of those figures does bear some scrutiny. For example, he used a figure of an eighth grade level of education. Now, does he mean an annual level of education or does he mean in academic achievement? because those things vastly differ, and when you start using those particular terms without getting to the essentials of what those terms mean, then we are going to completely miss what are trainable skills; are we addressing ourselves to those who are functionally illiterate, those who have certain learning disabilities in those particular categories while they may be physically able to be employed, and things of that nature. So when we start getting to that type of presentation, although it may shed some light on the amendments, I think that at the same time they sometimes can distort what we know as hard-core unemployed, what we know as functional literacy and illiteracy as such, and I think that some of those things would really have to be answered before

anyone really could get to the matter of saying that they are going to be subjected to moving CETA funds around by that type of basis of need.

Again, not to incur further wrath of those who have sat through the interrogation, but if this subject matter would bring itself up again, I would have to challenge as to what the validity actually is of some of those figures. Thank you, Mr. Speaker.

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

Mr. STREET. I welcome the challenge right now, Mr. Speaker. I am prepared. I am ready.

Mr. DAVIES. Well, only for one question, sir, just for my own clarity. When you speak about an eighth grade level, are you talking about an eighth grade level as far as the annual turnout of the records of what the employment system shows or are you talking about an academic achievement level?

Mr. STREET. I am talking about the level that was reflected in the study that was done by the United States Department of Labor, which was an academic achievement level.

Mr. DAVIES. All right, sir, and with that, in the skills, the 56 percentile that you talk about as far as the skills, what actually is reflected there on the matter of just functional literacy as compared to the matter of other skills, work skills, that are missing? What are the degrees in the makeup and essentially how much effort has been made by any one of those single individuals to try to use the existing systems to overcome that particular lack of skills? I think that input is almost essential before I can intelligently vote on some piece of legislation such as you are offering.

Mr. STREET. You mean the amendment?

Mr. DAVIES. Yes, the amendment, and some of the other amendments as well, sir.

Mr. STREET. Okay; I will answer your question. I have the answer.

All right; in terms of the unskilled, in terms of job readiness, first of all, we have to, Mr. Speaker—and I am going to document this—give people a test to determine job readiness. That has been done. If you go to the Bureau of Employment Security or, better yet, if you address the WIN - Work Incentive Program - you will find out that people are in fact put into training programs. As to the amount of people who are in that 56 percent unskilled in terms of where their job readiness is on particular jobs, I cannot say that. I can say to you at this point that I would believe that all 56 percent of them would be prepared to go out and wash dishes. I do not think that we would have a problem with job readiness when it came to washing dishes. I believe—

Mr. DAVIES. Mr. Speaker, you are not addressing the question as far as what they are specifically—

Mr. STREET. What what are? I do not understand the question.

Mr. DAVIES. —when we talk about the 56 percent of those who are unskilled. I would like to have that particular

breakdown, and then with whatever figures you have to back it, not your projection on how many of those people would be willing but how many of the people, for example, over a 10-year period or over a 5-year period, either through self-help or those existing programs that are now in place in adult education and in many other areas, have persisted in seeking to resolve some of those shortcomings with the lack of those work skills, particularly when we are talking about those simple things known as basic fundamentals for literacy and jobs.

Mr. STREET. I did not put it on the chart, Mr. Speaker, but the same study indicated that 72 percent of the people who were registered with the Bureau of Employment Security were active seekers of jobs. It also indicated that those who found jobs only remained on those jobs for a period of 6 months or less, which meant that the person was on for 6 months; he was off for 6 months; he was on for 6 months; he was off for 6 months. So I would, if you would indulge me, Mr. Speaker, go to my office. I have that information broken down very fine like Mr. Davies wants it, but I think that the information that is germane to your question is the fact that the average GA recipient who received a job—there was a percentage from the Bureau of Employment Security—only stayed on that job 6 months, which indicates to me that they deal with the tourist-type jobs, the unskilled jobs. So I have the information for you, and maybe the House could be at ease and I will go get it.

Mr. DAVIES. No, Mr. Speaker. Again what we are not addressing ourselves to is actually the validity of your figures, because when you start talking about those who are employable and those jobs that are open, there is a margin of error that goes well beyond 7 1/2 percent just on a weekly—

Mr. STREET. Two percent.

Mr. DAVIES. No; 7 1/2 percent.

Mr. STREET. Two percent.

Mr. DAVIES. Well, all right. Do you want me to start talking then about the illegal jobs and all of those that are filled and never reported and all of those that are unfilled and never reported? Now, we cannot use their figures because you are only talking about those that are reported. We are not talking about all the others that are unreported, sir, and the incomes that go with it. So when we talk about that validity, we want to get to the validity. We do not want to dance around those and we do not want to with the skills either, because when you start talking about that eighth grade level, that figure has been basically fudged that it so far exceeds some of the other national inputs other than the Bureau of Labor standards and some of their output that it is almost at times shocking, to say the least, as to the matter of the degree or margin of error that has been reflected in those figures. I think we have to address ourselves to some of those basic things when we are going to say what this chart represents and what the margin of error actually is, because I think it is vital that if we are going to have any kind of understanding about this type of amendment and some of the others that were offered, we

are going to really have to tell the people just where we are at.

Mr. STREET. Well, I would agree, Mr. Speaker, and I will withdraw all my amendments; I will sit down—I said this before—I will not open my mouth again. I have documented a study from the Department of Labor, and if you have a study that contradicts me, I am finished; my mouth is closed, just like this.

Mr. DAVIES. No; I do not think it is a question of that, sir. I think it is a question of when we talk about the validity, I am going to have to take the path that my leader says and assume that I am going to have to prepare all those written questions, and then we are going to have to somehow or other meet our differences in the figures that just seem to be fudged and do not agree and see if we can come to a meeting of minds on that. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—45

Barber	Hutchinson, A.	Manderino	Rieger
Borski	Irvis	Milanovich	Rodgers
Chess	Itkin	Miller	Shupnik
Cohen	Johnson, J. J.	Mullen	Stewart
DeWeese	Jones	Murphy	Street
Dawida	Knight	Novak	Sweet
Dombrowski	Kukovich	Oliver	Trello
Dumas	Laughlin	Pievsy	Wachob
Earley	Levin	Reed	Wargo
Gallagher	McIntyre	Rhodes	White
Gray	McMonagle	Richardson	Williams
Harper			

NAYS—122

Anderson	Foster, W. W.	Lynch, E. R.	Schweder
Armstrong	Foster, Jr., A.	McCall	Serafini
Arty	Gallen	McClatchy	Seventy
Austin	Gamble	McKelvey	Sieminski
Belardi	Gannon	McVerry	Sirianni
Bennett	Geesey	Mackowski	Smith, E. H.
Bittle	Geist	Manmiller	Smith, L. E.
Bowser	George, C.	Michlovic	Spencer
Brandt	George, M. H.	Micozzie	Spitz
Brown	Gladeck	Moehlmann	Stairs
Burd	Goebel	Mowery	Steighner
Burns	Goodman	Mrkonic	Stuban
Caltagirone	Grabowski	Musto	Swift
Cappabianca	Grieco	Nahill	Taddonio
Cessar	Gruppo	O'Brien, B. F.	Taylor, E. Z.
Cimini	Halverson	O'Donnell	Telek
Clark, M. R.	Hasay	Perzel	Thomas
Cochran	Hayes, Jr., S.	Peterson	Vroon
Cole	Helfrick	Piccola	Wass
Cornell	Honaman	Pistella	Wenger
Coslett	Hutchinson, W.	Pitts	Wilson
Cowell	Johnson, E. G.	Polite	Wilt
Cunningham	Kanuck	Pott	Wright, D. R.
DeVerter	Klingaman	Pratt	Wright, Jr., J.
DiCarlo	Knepper	Punt	Yahner
Davies	Kowalshyn	Pyles	Yohn
Dietz	Lashinger	Ritter	Zeller
Duffy	Lehr	Rocks	Zitterman
Durham	Letterman	Ryan	
Fischer	Levi	Salvatore	Seltzer,
Fisher	Livengood	Scheaffer	Speaker

NOT VOTING—29

Alden	Freind	Kolter	Rappaport
Beloff	Fryer	Lewis	Schmitt
Berson	Gatski	Madigan	Shadding
Clark, B. D.	Giammarco	Noye	Taylor, F.
DeMedio	Greenfield	O'Brien, D. M.	Weidner
Dininni	Hayes, D. S.	Petrarca	Zord
Dorr	Hoeffel	Pucciarelli	Zwilk
Fee			

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

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. STREET. Mr. Speaker, a point of personal privilege on remarks that were made by the majority leader that went to the motives of Mr. Street. I have to address these because there are people here who were crying out in the balcony a few minutes ago, Mr. Speaker, that said they wanted jobs. My job is by those people to come here on the floor of this House and represent those people and represent those people to the best of my ability, and—

The SPEAKER. Will the gentleman yield? The Chair is attempting to cooperate, but I am sure that the gentleman, Mr. Street, wishes to abide by the rules of the House, and the Chair is recognizing him for a point of personal privilege and not for the opportunity to make a speech. Will the gentleman please confine his remarks at this time to his point of personal privilege?

Mr. STREET. My point of personal privilege is my motives, as I have drafted amendments, the cost of amendments, to give the people whom I represent the best representation possible, and I saw with the budget inpassé Mr. Ryan and Mr. Butera sit right over there and do the very same thing when the Democrats were in the majority. It is our right to use these rules to give people the best possible representation, and I do not understand why somebody has to beat into my motives or my mind.

The SPEAKER. Would the gentleman yield for a moment? The Chair would hope that the gentleman will read rule 12, and if he does not have it before him, the Chair will refer to it.

The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, the gentleman is obviously upset because there has been some reflection about his conduct, and under rule 12 the gentleman has the right to rise to a point of personal privilege on a question affecting his conduct as a member of this House, and that is the ground on which he has risen.

The SPEAKER. For the information of the minority leader, the Chair was about to read to Mr. Street and to the members of the House those questions of personal privilege which the gentleman may be recognized for, and the minority leader is correct that one of those is that the

member—the Chair would like to read it: “Questions of personal privilege shall be limited to questions affecting the rights, reputation and conduct of members of the House in their respective capacities.”

The Chair intends to protect the rights of Mr. Street, and the Chair was only asking the gentleman to confine his remarks to the point of personal privilege which he was raising. The Chair’s responsibility, among other things, is to protect Mr. Street’s rights. The Chair can only ask that Mr. Street abide by the rules of the House, and the Chair recognizes him. The gentleman may proceed.

Mr. STREET. Mr. Speaker, I was speaking to my conduct, and my conduct in terms of what I have done in drafting 400 or 500 amendments is perfectly legitimate within the rules of this House, and there is nothing wrong and I see nothing wrong with a filibuster to make my point. I do not care if somebody thinks a filibuster is negative. I know I do not understand the inference that is constantly being drawn that we are here and Mr. Street is here wasting the time of this House filibustering. The people in the balcony went to my conduct; the people in the balcony began to yell out. They have two alternatives: to yell out and be disorderly, or to sit there and let the ones whom they elected represent them to the fullest of the rules that are laid out by this House, and the rules of this House do not state, Mr. Speaker, that I only have the right to introduce 10 amendments or 12 amendments. I have 200 amendments over in my office prepared that I have not even brought over here yet, and I plan to bring them over here and use them, but I resent the fact that I am going to be labeled as some type of individual whose, one, conduct is unfair to the State of Pennsylvania because it is costing \$12,000 to print amendments that these rules permit me and that is a part of the process. If we want to put a limit on the amount of amendments that can be introduced, then I think we should do that.

I was personally offended by the fact that the majority leader would give reference to my personal conduct because I took the time and I wanted to represent my people and stayed up night in and day out, night in and day out, to write those amendments, along with some other people who assisted me. Any member on the floor of this House has the right to do that, any member, and I say that, Mr. Speaker, because I have seen you do it. I learned from you. I was sitting in the balcony at the budget impasse when you and Mr. Butera, who is not here now, did the same thing amendment after amendment after amendment, and your amendments resulted in and your filibuster resulted in people not eating for weeks, almost riots in Philadelphia because people could not get their money, and nobody got down on that. Nobody got down on that. Nobody stood up on the floor of the House and attacked your conduct at that point, and I do not appreciate your attacking my conduct. And now I am going to write a thousand amendments.

The SPEAKER. The House will be at ease. The House will be at ease.

MOTION TO LIMIT DEBATE

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

Mr. GOEBEL. Mr. Speaker, I would like to make a motion that we do whatever measures are necessary to impose a 2-minute limitation on all debates, points of personal privilege, points of order, interrogation, and we have it limited and enforce it to two times at the microphone on each subject.

I think we have been very patient. The members have listened for 3 days. We have seen 5,000 amendments. Everybody is sitting here very patiently, and I think it is time that if you cannot say it in 60 seconds, then you have lost the audience. You have just completely lost them. They are not listening anymore, and if you cannot say it in 60 seconds, then do not say it at all, and I make that motion right now.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I suggest that the gentleman’s motion is not in order. That is not the procedure to follow. If the gentleman wants to invoke some sort of gag rule, I would suggest that the only way you can do it is by the suspension of the regular rules of this House and the insertion of a new rule.

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

Mr. RYAN. Mr. Speaker?

The SPEAKER. Will everybody please let the Speaker talk for a change?

The gentleman, Mr. Irvis, is correct that before a limitation on debate can be made, it has to be made through the suspension of the rules of this House or the adoption of a temporary rule which would limit the debate to a fixed period of time, which this House has done on a prior occasion when, as I believe, the minority leader, Mr. Irvis, was the presiding officer.

The Chair would hope that Mr. Goebel would stand at ease on this motion, and the Chair would suggest that the majority and the minority leaders get together in the well of the House to see whether there can be any agreement; first of all, whether there should be an attempt to pass a temporary rule, and if there would be, what that temporary rule should be.

The Chair would ask the House to stand at ease awaiting a short conference between the majority and the minority leaders.

The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, although Mr. Irvis may very well oppose this motion, as we discussed the parliamentary procedure, I would move now, if Mr. Goebel would permit me to, that the rules of the House be suspended for the purpose of—under Jefferson’s Manual, as I understand it, there is a provision for limiting debate. If the Speaker would frame the motion, it is in that direction that we are attempting to go.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I am opposing—

The SPEAKER. The Chair apologizes for the guests in the gallery. The Chair would hope that our guests in the gallery would please confine their conversations to a low level. The disruption of the proceedings of the House is certainly, at best, not a proper action for our guests to take, and we would hope that they would abide by the rules of this House the same as the members do.

The Chair recognizes Mr. Irvis.

Mr. IRVIS. Mr. Speaker, I vigorously oppose the motion to suspend the rules, and I assume that that motion has now been placed before the House by the majority leader.

The SPEAKER. The gentleman is in error. There is no motion before the House at this time. We are still in the discussion stages, Mr. Irvis.

Mr. IRVIS. I beg the Chair's pardon. I thought the majority leader had made the motion to suspend the rules.

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

Mr. GOEBEL. Mr. Speaker, my motion was that this House take whatever steps are necessary to impose the 2-minute limitation. It was a motion designed for us to do whatever is necessary. If you want—

The SPEAKER. The Chair believes it understands what the gentleman, Mr. Goebel, is attempting to do.

Mr. GOEBEL. There is a motion on the floor.

The SPEAKER. If the gentleman insists, the Chair must rule it is not a proper motion, and the Chair would hope that the gentleman would not insist and would permit the Chair to frame the question. The majority leader rose in place and suggested that the Chair frame a question to put before the House.

The House will be at ease a moment.

MOTION TO LIMIT DEBATE

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

Mr. GOEBEL. Mr. Speaker, I believe I have a proper motion before me, and I move that debate on all amendments to HB 2044 be limited to one speech of 5 minutes from each member.

POINT OF ORDER

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 order.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS. Mr. Speaker, my point of order—Mr. Richardson has one, too—is that if the Speaker did entertain and take some time to entertain a review of the rules for general purpose with Mr. Goebel—and I tried to call the Speaker's attention—I am saying that it is in order to give a few of us time to make that same review on the

general subject that he is talking about. I would suggest that it is only fair, since you took the time to review those rules, that we have or at least I have time to do the same thing, and since I did not know how long you were going to take, I did not want to leave my microphone and go outside and do that.

The SPEAKER. In response to the point of order raised by the gentleman, Mr. Williams, the Chair reads from Mason's Manual, section 358: "Motions or orders to limit or to extend the limits of debate are undebatable, for to permit debate on these motions would defeat their purpose."

POINT OF ORDER

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Richardson, for his point of order.

Mr. RICHARDSON. Mr. Speaker, I would just like to raise this question: When Mr. Street had the floor, it is my understanding under rule 10, on the question of amendments, that he never relinquished the floor to Mr. Goebel. I would like to know what is your ruling.

The SPEAKER. In response to the gentleman, Mr. Richardson, the House had disposed of the amendment that had recently been debated on the floor. At that point Mr. Goebel was recognized to make his motion. There was no amendment before the House at the time.

Mr. RICHARDSON. The gentleman made no motion, Mr. Speaker, and I contend that Mr. Street had the floor at the time, and I do not remember him yielding the floor to anyone else.

The SPEAKER. The gentleman, Mr. Richardson, is in error.

Mr. RICHARDSON. I do not think so, Mr. Speaker. I do not think that there is a motion before this House, and I am raising that question now, Mr. Speaker. If you tell me there is a motion before this House, then—

The SPEAKER. The Chair has told the gentleman, yes, there is a motion before the House.

Mr. RICHARDSON. What is the motion, Mr. Speaker? Just a few minutes ago there was not any.

The SPEAKER. Will the gentleman, Mr. Goebel, please repeat his motion before the House?

Mr. RICHARDSON. No; he never repeated it, Mr. Speaker, and I have a point of order on the floor and I am asking specifically—

The SPEAKER. Will the gentleman yield? The Chair is attempting—

Mr. RICHARDSON. If the Chair knows what the motion is, he does not have to ask Mr. Goebel to read it.

The SPEAKER. —to respond to his inquiry. The inquiry is, is there a motion before the House, and the answer is yes, and the Chair has asked Mr. Goebel to repeat his motion before the House.

Mr. RICHARDSON. Mr. Speaker, I have a point of order and I am not going to be railroad like this.

The SPEAKER. Will the gentleman, Mr. Richardson, please yield?

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

Mr. RICHARDSON. Mr. Speaker, I have the floor.

The SPEAKER. The gentleman does not have the floor.

Mr. RICHARDSON. I do so have the floor, Mr. Speaker, on a point of order.

The SPEAKER. The gentleman does not have the floor.

Mr. RICHARDSON. Point of order, Mr. Speaker.

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

Mr. RICHARDSON. There was no motion on the floor, Mr. Speaker, and I indicate right now—

Mr. GOEBEL. Mr. Speaker, I move that this House of Representatives—

Mr. RICHARDSON. —that if there is a motion on the floor of this House, it was not done in a proper manner, and that if you know what the motion is—

Mr. GOEBEL. Mr. Speaker, I move that this House of Representatives—

Mr. RICHARDSON. —then why do you not tell everybody here—

Mr. GOEBEL. —suspend the rules.

Mr. RICHARDSON. —what that motion is?

Mr. WILLIAMS. Point of order, Mr. Speaker.

Mr. GOEBEL. —so that all debate—

Mr. RICHARDSON. You cannot walk over anybody in this House—

Mr. GOEBEL. —on HB 2044—

Mr. RICHARDSON. —because you do not know how to rule the House.

Mr. GOEBEL. —be limited to one speech—

Mr. RICHARDSON. Mr. Speaker?

Mr. GOEBEL. —of 5 minutes—

Mr. RICHARDSON. Mr. Speaker?

Mr. GOEBEL. —for each member.

Mr. RICHARDSON. Mr. Speaker? Mr. Speaker?

The SPEAKER. The question before the House—

Mr. WILLIAMS. Point of order, Mr. Speaker.

Mr. RICHARDSON. Mr. Speaker, you never had a question before the floor of this House. You never had a question on the floor when you asked somebody else to give it. You never had a question on the floor. It is wrong. You are wrong.

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

Mr. RICHARDSON. Yes, point of order. You never had a motion on this floor.

Mr. WILLIAMS. Point of order, Mr. Speaker.

Mr. RICHARDSON. You all brought this on.

The SPEAKER. Does Mr. Irvis wish to be recognized?

Mr. IRVIS. Mr. Speaker, I really do not know the motion. I did not hear it.

Mr. WILLIAMS. Point of order, Mr. Speaker.

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

Mr. WILLIAMS. Point of order takes precedence, Mr. Speaker.

Mr. RICHARDSON. Point of order.

Mr. WILLIAMS. Point of order, Mr. Speaker.

The SPEAKER. The minority leader, Mr. Irvis, indicated he was unable to hear the motion—

Mr. WILLIAMS. Point of order, Mr. Speaker.

The SPEAKER. —that is before the House.

Mr. RICHARDSON. He did not say that, Mr. Speaker.

The SPEAKER. Please, Mr. Richardson, do not attempt to tell the Chair what the minority leader said. The Chair is able to hear.

Mr. RICHARDSON. Mr. Speaker, I rose to a point of order and I asked a question.

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

Mr. RICHARDSON. Mr. Speaker—

Mr. WILLIAMS. Point of order, Mr. Speaker.

The SPEAKER. Will the public address man please cut off Mr. Richardson's microphone at this time?

Mr. WILLIAMS. Point of order, Mr. Speaker.

The SPEAKER. When the Chair recognizes—

Mr. WILLIAMS. Point of order, Mr. Speaker.

The SPEAKER. When the Chair recognizes Mr. Richardson, then his microphone will be turned back on.

Mr. IRVIS. Mr. Speaker.

Mr. WILLIAMS. Point of order, Mr. Speaker.

The SPEAKER. The Chair is attempting to respond to the question of the minority leader.

Mr. WILLIAMS. Point of order, Mr. Speaker.

Mr. IRVIS. Mr. Speaker.

The SPEAKER. The question before the House is the motion by Mr. Goebel, which would be the suspension of the rules of this House which would limit debate on all future amendments on HB 2044 to 5-minute speeches for each member. To suspend the rules, it takes 102 votes of this House.

Mr. IRVIS. Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. WILLIAMS. Point of order.

MOTION TO ADJOURN

Mr. IRVIS. Mr. Speaker, the House has evolved into absolute chaos, as I predicted yesterday. I move this House now adjourn until Monday, March 17, at 1 o'clock.

Mr. RYAN. Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, this is further evidence of what intimidation can do to the House. Because the guests in the gallery and the members are unable to abide by the rules, someone has to move to adjourn. I oppose the motion to adjourn and then call for the order of business, which would be Mr. Goebel's motion.

The SPEAKER. The question is on the motion to adjourn. Those in favor of adjourning will vote "aye"; opposed, "no." The members will proceed to vote.

On the question,
Will the House agree to the motion?
The following roll call was recorded:

YEAS—45

Barber	Dumas	McIntyre	Rieger
Bennett	Fee	McMonagle	Ritter
Borski	Gallagher	Manderino	Rodgers
Brown	Goodman	Mullen	Shupnik
Caltagirone	Gray	Murphy	Steighner
Chess	Harper	Musto	Stewart
Cohen	Irvis	Oliver	Street
Cole	Itkin	Rappaport	Trello
DeMedio	Johnson, J. J.	Reed	Wargo
DeWeese	Jones	Rhodes	White
DiCarlo	Kukovich	Richardson	Williams
Dombrowski			

NAYS—123

Anderson	Fryer	Levi	Salvatore
Armstrong	Gallen	Livengood	Scheaffer
Arty	Gamble	Lynch, E. R.	Serafini
Austin	Gannon	McCall	Sieminski
Belardi	Gatski	McClatchy	Sirianni
Bittle	Geesey	McKelvey	Smith, E. H.
Bowser	Geist	McVerry	Smith, L. E.
Brandt	George, C.	Mackowski	Spencer
Burd	George, M. H.	Manmiller	Spitz
Burns	Gladeck	Michlovic	Stairs
Cappabianca	Goebel	Micozzie	Sweet
Cessar	Grabowski	Miller	Swift
Cimini	Grieco	Moehlmann	Taddonio
Clark, B. D.	Gruppo	Mowery	Taylor, E. Z.
Clark, M. R.	Halverson	Nahill	Telek
Cochran	Hasay	Novak	Thomas
Cornell	Hayes, Jr., S.	Noye	Vroon
Coslett	Helfrick	O'Brien, B. F.	Wachob
Cowell	Honaman	Perzel	Wenger
Cunningham	Hutchinson, A.	Peterson	Wilson
DeVerter	Hutchinson, W.	Petrarca	Wilt
Davies	Johnson, E. G.	Piccola	Wright, D. R.
Dawida	Kanuck	Pistella	Wright, Jr., J.
Dietz	Klingaman	Pitts	Yahner
Dorr	Knight	Polite	Yohn
Duffy	Kolter	Pott	Zeller
Durham	Kowalshyn	Pratt	Zitterman
Earley	Lashinger	Punt	Zord
Fischer	Laughlin	Pyles	
Fisher	Lehr	Rocks	Seltzer,
Foster, W. W.	Letterman	Ryan	Speaker
Foster, Jr., A.			

NOT VOTING—28

Alden	Hayes, D. S.	Mrkonic	Seventy
Beloff	Hoeffel	O'Brien, D. M.	Shadding
Berson	Knepper	O'Donnell	Stuban
Dininni	Levin	Pievsky	Taylor, F.
Freind	Lewis	Pucciarelli	Wass
Giammarco	Madigan	Schmitt	Weidner
Greenfield	Milanovich	Schweder	Zwinkl

The SPEAKER. On the question of adjournment, the "ayes" are 45; the "nays" 123. Less than the majority having voted in the affirmative, the motion falls.

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

RULES SUSPENDED

The SPEAKER. The question recurs, Will the House suspend its rules?

Mr. IRVIS. Mr. Speaker?
The SPEAKER. The Chair recognizes, Mr. Irvis.
Mr. IRVIS. I rise to vigorously oppose the suspension of the rules of this House for the purpose of limiting debate. Debate ought not to be limited; we have listened many, many hours to many, many debates. I see no reason to gag the debate—

The SPEAKER. The Chair reluctantly reminds the minority leader that this is not a debatable motion.

Mr. IRVIS. I oppose the motion to suspend the rules and urge the members to vote "no" on the motion.

The SPEAKER. The Chair thanks the gentleman.

The question is on the motion. All those in favor of suspension of the rules will vote "aye"; opposed "no." The members will proceed to vote.

On the question,
Will the House agree to the motion?
The following roll call was recorded:

YEAS—105

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

NAYS—69

Austin	Fee	Livengood	Reed
Barber	Gallagher	McCall	Rhodes
Bennett	Gatski	McIntyre	Richardson
Borski	George, C.	McMonagle	Rieger
Caltagirone	Goodman	Manderino	Rodgers
Cappabianca	Gray	Michlovic	Schmitt
Chess	Harper	Milanovich	Schweder
Clark, B. D.	Hutchinson, A.	Miller	Steighner
Cochran	Irvis	Mullen	Street
Cohen	Itkin	Musto	Stuban
Cole	Johnson, J. J.	Novak	Taylor, F.
Cowell	Jones	Oliver	Trello
DeMedio	Knight	Petrarca	Wachob
DeWeese	Kolter	Pievsky	Wargo
DiCarlo	Kukovich	Pratt	White
Dombrowski	Laughlin	Pucciarelli	Williams
Dumas	Levin	Rappaport	Yahner
Earley			

NOT VOTING—22

Alden	Giammarco	Mrkonic	Shadding
Beloff	Greenfield	O'Brien, D. M.	Shupnik
Berson	Hayes, D. S.	O'Donnell	Sweet
Dininni	Hoeffel	Pistella	Weidner
Freind	Lewis	Seventy	Zwikl
Gannon	Madigan		

The SPEAKER. On the question of suspension of the rules, the "ayes" are 105; the "nays" are 69. A majority having voted in the affirmative, the rules are suspended.

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

The SPEAKER. On the question, Will the House limit debate on the amendments offered to HB 2044? Those in favor of limiting debate to 5 minutes will vote "aye"; opposed, "no." The members will proceed to vote.

The following roll call was recorded:

YEAS—107

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

NAYS—49

Austin	Fee	Kukovich	Petrarca
Bennett	Gallagher	Laughlin	Pratt
Cappabianca	Gatski	Livengood	Rappaport
Chess	George, C.	McCall	Reed
Clark, B. D.	Goodman	Manderino	Rodgers
Cochran	Hutchinson, A.	Michlovic	Steighner
Cohen	Irvis	Milanovich	Stewart
Cowell	Itkin	Miller	Street
DeMedio	Johnson, J. J.	Mullen	Stuban
DiCarlo	Jones	Murphy	Taylor, F.
Dombrowski	Knight	Musto	Wachob
Dumas	Kolter	Novak	Yahner
Earley			

NOT VOTING—40

Alden	Harper	O'Donnell	Schweder
Beloff	Hayes, D. S.	Oliver	Shadding
Berson	Hoeffel	Pievsky	Shupnik
Borski	Levin	Pistella	Trello
DeWeese	Lewis	Pucciarelli	Wargo
Dininni	McIntyre	Rhodes	Weidner
Freind	McMonagle	Richardson	White

Giammarco	Madigan	Rieger	Williams
Gray	Mrkonic	Salvatore	Zord
Greenfield	O'Brien, D. M.	Schmitt	Zwikl

The SPEAKER. On the question of adopting the temporary rule, the "ayes" are 107; the "nays" 49. The majority having voted in the affirmative, the temporary rule is adopted.

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

AMENDMENTS WITHDRAWN

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

Is the gentleman, Mr. White, ready to offer his amendments?

Mr. WHITE. Not yet, Mr. Speaker.

If I might have the attention of my colleagues on the floor of this House, I have chosen, Mr. Speaker, not to offer the amendments which I had originally intended to offer on the floor of the House this day. Our colleagues have also seen fit to withdraw all amendments to HB 2044 that have been pending. I would like to be recognized, Mr. Speaker, for a point of personal privilege, and, at that point, after concluding some brief remarks, I would like to offer a motion.

QUESTION OF PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. WHITE. I understand that the rules of this House supply us with a mechanism for expression on the floor of this House when the integrity of a member or the integrity of this Chamber has been impugned. I think that what we have witnessed in the last 3 days has been an absolute disgrace and an abomination to the residents of this Commonwealth. To begin with, Mr. Speaker, I believe it was Monday morning, the Philadelphia Inquirer carried an article which stated, not quoted but stated, that the members of the black legislative caucus of this House had intended to stage a filibuster to delay the passage of this legislation. This article, like many others that were seen and printed across this state, attempted to pit black against white, the poor against the poorest, brother against brother, family member against family member, and as members of this House we fell prey to the deliberate intentions of this press to sell newspapers, radio time, TV time across this Commonwealth.

Nothing has taken place on this floor of which I, as a member of this House, could be proud. My disappointment stems from the fact that we were elected to represent our individual and various constituencies, and I have heard, time and time again, member after member state that the taxpayers wanted this particular legislation as if there was not another segment of our society that felt the need for the

defeat of this legislation. Our constituents depend upon us, through thoughtful discussion, through debate, and even through filibuster, to make a point, to make an issue known to the Commonwealth. Our attempts—and I say “our” because it is not simply one side of the House, be it Republican, even though the votes would demonstrate that this side has consistently opposed even the most substantive amendments to this legislation. Every amendment that was offered was not offered in an attempt to delay the passage of this bill. Amendments were offered to provide protections for those residents of this state who need the protections of this state and of this government, and for individuals to make broad characterizations of the types of amendments that have been offered to HB 2044 is an insult to us all.

Finally push has come to shove. We have succeeded, we have succeeded in putting ourselves in a position where nothing can be or has been accomplished in this House for the last 3 days, and that comes about not as a result of amendments that have been offered by individual members but it comes about through a violation of a process which this House itself developed. From the beginning, with respect to the introduction of the legislation, with respect to the committee process, with respect to the amendment process, with respect to the implementation of House rules which we have adopted, we have violated it almost at every turn. To continue to debate HB 2044 and any subsequent amendments at this time is in fact a total waste of our time as House members.

MOTION FOR PREVIOUS QUESTION

Mr. WHITE. If the intention of the majority leader was to keep us from further delaying this bill—and when I say “us,” I am not talking about black members of this House, for Mr. Kukovich and Mr. Cohen and Mr. Hoeffel and Mr. Zitterman and Mr. George and many, many others who are nonblack have also stood on this floor and offered substantive amendments—if it was the intention of the leadership of this House to prevent a further delay, you have not done it, but we will, and we will do that, Mr. Speaker—if I might have your attention for a moment—by moving the previous question, by dispensing with all pending amendments, and that we vote on final passage HB 2044. I thank you.

The SPEAKER. The gentleman from Philadelphia, Mr. White, has moved the previous question “...be made to embrace...” —the Chair is reading from the rule— “any or all pending amendments or motions and to include the passage or rejection of a bill...”

The motion for a previous question must be seconded by 20 members of the House and then sustained by a majority of the members. Are there 20 members who will rise in their place to second the motion by Mr. White?

Mr. WILLIAMS. I second the motion by Mr. White.

The SPEAKER. The gentleman, Mr. Williams, is a second. Will all the members of the House please be seated so the clerks can get an accurate count?

Are there any other seconds to the motion?

Mr. EARLEY. Mr. Speaker, I second the motion of Mr. White.

The SPEAKER. Are there 20 members who will second the motion? Mr. Street?

Mr. STREET. I second the motion. Roll it.

The SPEAKER. Does Mrs. Harper wish to second the motion?

Mrs. HARPER. Yes, Mr. Speaker.

The SPEAKER. Mr. Earley?

Mr. EARLEY. Yes, Mr. Speaker.

The SPEAKER. Mr. Oliver? Mr. Oliver indicates he seconds the motion. Mr. Johnson from Philadelphia seconds the motion. Mr. Barber from Philadelphia seconds the motion. Mr. Rhodes from Allegheny seconds the motion. Does Miss Sirianni second the motion?

Miss SIRIANNI. Mr. Speaker, I second the motion.

The SPEAKER. The gentleman, Mr. Halverson, seconds the motion. The gentleman, Mr. Goebel, seconds the motion. The gentleman from Berks, Mr. Brown, seconds the motion. The gentleman from Philadelphia, Mr. Richardson, seconds the motion. The gentleman from Lehigh, Mr. Ritter, seconds the motion. The gentleman from Jefferson, Mr. Smith. The gentleman from Bucks, Mr. Wright. The gentleman from Erie, Mr. Bowser. The gentleman from Chester, Mr. Lynch. The gentleman from Blair, Mr. Geist. The gentleman from Cumberland, Mr. Geesey. The gentleman, Mr. Mackowski. The gentleman, Mr. Spitz. The gentleman, Mr. Grieco. The gentleman from Allegheny, Mr. Fisher. The gentleman from Mercer, Mr. Wilt. The gentleman from Venango, Mr. Levi. The lady from Chester, Mrs. Taylor. The gentleman from Crawford, Mr. Swift. The gentleman from Centre, Mr. Letterman.

More than 20 members have seconded the motion.

The question before the House is the adoption of a motion for the previous question on third consideration and final passage.

The motion for the previous question having been made and seconded, those in favor of the motion—

The motion is not debatable.

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. Mr. Speaker, according to rule 61 of the House, the motion for the previous question can be made, at least impliedly from the language of rule 61, in several manners, because it says it “...may be made to embrace any or all pending amendments or motions and to include the passage or rejection of a bill or resolution.” Now, can you tell me in what manner it was in fact made?

The SPEAKER. It is the understanding of the Chair that Mr. White’s motion was made to stop debate and immediately consider HB 2044 on third reading and final passage.

The Chair recognizes Mr. Manderino.

Mr. MANDERINO. Mr. Speaker, a number of members have filed reconsideration motions on amendments that failed or passed by small margins. What is the status of those reconsideration motions, some of which have been on the Chair's desk for 2 days?

The SPEAKER. It is the opinion of the Chair that with this motion before the House that those reconsideration motions are not in order to be considered.

If the motion for the previous question is defeated, then what other business that will come before the House on this legislation on other items could be considered on this piece of legislation.

The Chair recognizes Mr. Manderino.

Mr. MANDERINO. A further point of parliamentary inquiry: Is it within any of the rules of this House, Mason's Manual, or Jefferson's Manual, which govern the conduct of this House, or is it within the precedents of this House that even though a motion is not debatable, that a statement can be made by the majority and minority leader?

The SPEAKER. I cannot respond from a rule of this House, but, from experience, the Chair would suggest that it would be proper for a majority and minority leader to make a brief statement on the motion; not to debate it, but to make a brief statement of their position on the motion. Unless I hear objection from the members of the House, I would suggest that it would be proper, and the Chair would recognize Mr. Manderino at this time for a brief statement on his position.

The Chair will recognize Mr. Irvis.

Mr. IRVIS. Mr. Speaker, I understand that the previous question on motion is not debatable. I will simply state my position. I have been against moving the previous question on other occasions. I did not know this motion was to be made as a leader of this party. I oppose the motion of the previous question.

PARLIAMENTARY INQUIRY

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

Mr. LAUGHLIN. Mr. Speaker, I rise for a point of parliamentary inquiry.

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

Mr. LAUGHLIN. Mr. Speaker, have amendments been adopted by this House to this bill.

The SPEAKER. The Chair has been informed, I believe, that there are four that have been adopted.

Mr. LAUGHLIN. Mr. Speaker, is it not correct then that that bill must be in print before we consider it, or a waiver of the rules must be offered?

The SPEAKER. In response to the query by the gentleman, Mr. Laughlin, the Chair refers to rule 21. He reads that part of it which the Chair believes pertains to his question: "All amendments made thereto shall be printed for the use of the members before the final vote is taken thereon."

It is the opinion of the Chair that the amendments have been printed and been distributed to the members and it would be the belief of the Chair that the House has met the requirements of its rules.

Mr. LAUGHLIN. Mr. Speaker, that rule is meant to provide the information to the members on the amendment that is offered. It does not give an indication of the effect of those amendments in the overall bill, and that is the reason for the printing of the bill. I question that ruling, Mr. Speaker. Would you kindly check that again?

Mr. Speaker, I am not addressing the amendment procedure. I am addressing the printing of the bill and its final content to contain those amendments that have been adopted. You cannot take that amendment singularly, Mr. Speaker, and introduce it to the bill as such.

The SPEAKER. While the parliamentarian is reviewing the rules again at the request of the gentleman, the Chair would suggest that we go on with the vote on the previous question, because the answer to the gentleman's question really has nothing to do with this particular vote. The question would only arise if the majority of the members voted the previous question and the bill was then before us for final passage.

Mr. LAUGHLIN. Mr. Speaker, would that not preclude the reconsideration of amendments that have been requested. Would that not preclude the offering of those amendments? That is why it is pertinent, sir.

The SPEAKER. The Chair again responds to Mr. Laughlin. He can find nothing in the rules as is suggested by Mr. Laughlin. The Chair again repeats he can only find that part of rule 21.

ANNOUNCEMENT BY MINORITY LEADER

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. I think Mr. Speaker this is an informal announcement and I think it might be welcomed by the House. It has nothing to do with the strains and tensions.

All of you will be pleased to know that Mr. Hoeffel and his wife have become parents of a 7-pound-11 ounce baby girl, Mary Cora Hoeffel. Baby girl, mother and father are all doing well.

CONSIDERATION OF HB 2044 CONTINUED

The SPEAKER. Will the gentleman, Mr. Ritter, come to the desk please.

The question before the House is the moving of the previous question. The gentleman from Lehigh, Mr. Ritter, asked to be recognized.

MOTION TO TABLE

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

The Chair hopes that the members will listen diligently to what is being said. This is a very unusual procedure that we

are going through. The Chair is attempting to do it properly.

The Chair recognizes Mr. Ritter.

Mr. RITTER. Mr. Speaker, under rule 55, a motion to lay on the table takes precedence over the previous question. Mr. Speaker, I therefore move that HB 2044, together with the amendments thereto, be laid on the table.

The SPEAKER. The Chair would like to call close attention to the motion. The gentleman, Mr. Ritter, has not moved that the previous question be laid on the table, but that HB 2044 be laid on the table. It is the opinion of the Chair, in consultation with the House parliamentarian, with the members of the minority staff, that this is a proper motion to be made at this time.

PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, a point of parliamentary inquiry.

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

Mr. RYAN. Assuming for a moment that Mr. Ritter's motion carries and the bill together with amendments is placed on the table, is that accurate?

The SPEAKER. That is correct.

Mr. RYAN. What happens to the outstanding motion that moved the previous question?

The SPEAKER. It is the understanding of the Chair that if the motion to lay HB 2044 on the table prevails, there is no longer before the House the previous question.

Mr. RYAN. All right. Mr. Speaker, I would then oppose the motion of Mr. Ritter.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. I urge a "yes" vote on the motion.

The SPEAKER. Those in favor of laying the bill on the table will vote "aye"; opposed "no."

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—68

Austin	Gamble	Livengood	Rhodes
Barber	Gatski	McIntyre	Richardson
Bennett	George, C.	McMonagle	Rieger
Borski	Goodman	Manderino	Ritter
Chess	Grabowski	Michlovic	Schmitt
Clark, B. D.	Gray	Milanovich	Seventy
Cohen	Harper	Mrkonic	Shupnik
Cole	Hutchinson, A.	Murphy	Stewart
Cowell	Irvis	Musto	Street
DeMedio	Itkin	Novak	Sweet
DeWeese	Johnson, J. J.	O'Brien, B. F.	Taylor, F.
Dawida	Jones	Oliver	Trello
Dombrowski	Knight	Petrarca	Wachob
Duffy	Kolter	Pievsky	Wargo
Dumas	Kukovich	Pistella	White
Earley	Laughlin	Pucciarelli	Wright, D. R.
Fee	Levin	Reed	Yahner

NAYS—108

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

NOT VOTING—20

Alden	Gallagher	Lewis	Rappaport
Beloff	Giammarco	Madigan	Rodgers
Berson	Greenfield	Mullen	Shadding
Dininni	Hayes, D. S.	O'Brien, D. M.	Weidner
Freind	Hoeffel	O'Donnell	Zwikl

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

The SPEAKER. The question recurs, will the House move the previous question?

An "aye" vote is a vote to end the debate and bring the House to an immediate vote on HB 2044 on third consideration. This is not a debatable motion.

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. How many reconsideration motions are filed with the desk, Mr. Speaker?

The SPEAKER. The parliamentarian informs the Chair that there could be eight.

MOTION TO GO INTO COMMITTEE OF THE WHOLE

Mr. MANDERINO. Mr. Speaker, that does not seem like too many.

I would like to move at this time with a motion that takes precedence over the previous question that this House go into a committee of the whole for the special purpose of considering the reconsideration motions on the eight filed with the desk.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I never heard that one, but I oppose it.

Mr. MANDERINO. I have a precedent in 1901, Mr. Speaker.

Mr. RYAN. I oppose that one, too, Mr. Speaker.

MOTION WITHDRAWN

Mr. MANDERINO. Mr. Speaker, I will make it easy; I withdraw the motion, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. RYAN. He never heard of it either, yes?

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—105

Anderson	Fryer	Lynch, E. R.	Sieminski
Armstrong	Gallen	McClatchy	Sirianni
Arty	Gamble	McKelvey	Smith, E. H.
Belardi	Gannon	McMonagle	Smith, L. E.
Bittle	Geesey	McVerry	Spencer
Borski	Geist	Mackowski	Spitz
Bowser	George, M. H.	Manmiller	Stairs
Brandt	Gladeck	Micozzie	Stuban
Brown	Goebel	Moehlmann	Swift
Burns	Gray	Mowery	Taylor, E. Z.
Caltagirone	Grieco	Nahill	Telek
Cessar	Gruppo	Noye	Thomas
Cimini	Halverson	Perzel	Vroon
Clark, M. R.	Harper	Peterson	Wass
Cornell	Hasay	Pitts	Wenger
Coslett	Hayes, Jr., S.	Polite	White
Cunningham	Helfrick	Pott	Wilson
DeVerter	Honaman	Pratt	Wilt
Davies	Hutchinson, W.	Punt	Wright, Jr., J.
Dietz	Johnson, E. G.	Pyles	Yohn
Dorr	Kanuck	Rieger	Zeller
Durham	Klingaman	Rocks	Zitterman
Earley	Kowalyshyn	Ryan	Zord
Fischer	Lashingner	Salvatore	
Fisher	Lehr	Scheaffer	Seltzer,
Foster, W. W.	Letterman	Schweder	Speaker
Foster, Jr., A.	Levi	Serafini	

NAYS—69

Austin	Goodman	Milanovich	Ritter
Barber	Grabowski	Miller	Rodgers
Cappabianca	Hutchinson, A.	Mrkonic	Schmitt
Chess	Irvis	Murphy	Seventy
Clark, B. D.	Itkin	Musto	Shupnik
Cochran	Johnson, J. J.	Novak	Steighner
Cohen	Jones	O'Brien, B. F.	Stewart
Cowell	Knepper	Oliver	Street
DeMedio	Knight	Petrarca	Sweet
DiCarlo	Kolter	Piccola	Taddonio
Dawida	Kukovich	Pievsy	Taylor, F.
Dombrowski	Laughlin	Pistella	Trello
Duffy	Levin	Pucciarelli	Wachob
Dumas	Livengood	Rappaport	Wargo
Fee	McCall	Reed	Williams
Gallagher	Manderino	Rhodes	Wright, D. R.
Gatski	Michlovic	Richardson	Yahner
George, C.			

NOT VOTING—22

Alden	DeWeese	Hoefel	O'Brien, D. M.
Beloff	Dininni	Lewis	O'Donnell
Bennett	Freind	McIntyre	Shadding
Berson	Giammarco	Madigan	Weidner

Burd Cole Greenfield Hayes, D. S. Mullen Zwinkl

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

The SPEAKER. The question before the House is third consideration of HB 2044.

The Chair recognizes the gentleman from Clarion, Mr. Wright. For what purpose does the gentleman rise?

Mr. D. R. WRIGHT. Mr. Speaker, by what vote does a previous question motion pass?

The SPEAKER. A simple majority.

Will the House agree to the bill as amended?

The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, on that question whether the House agrees on third consideration, before you move to final passage, I have a request to make of the Chair. I recognize the Chair does not have to honor this request; that we have not honored it in the past; but my request is that the Chair order the printing of the bill, as amended, so that before we move to final passage on it, we have in front of us the printed bill with the amendments thereto.

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. Mr. Speaker, I believe it is the sense of the House that this bill should be considered now on final passage. I base that on the fact that this House has seen fit to move the previous question, an extraordinary remedy available to the members. It has defeated Mr. Ritter's motion to lay the bill, together with amendments, on the table, and under the circumstances I do not think we are straying at all from our everyday practice of considering bills with the amendments in print, and I would urge the Chair, and, if necessary, the membership, to resist such a request by Mr. Irvis and get on with the final passage of the bill.

The SPEAKER. The Chair is in a difficult position in that the House has voted, when they voted for the previous question, to consider it finally. That question has been disposed of, the Chair believes, by a majority of the members of this House, and regardless of what the Chair's personal opinion would be, the Chair does not believe it has that authority to go against the will of the majority of the members of this House.

Does the gentleman, Mr. Manderino, wish to be recognized? The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, very briefly, my understanding of the motion for the previous question is that it is a motion to cut off all debate, and Mr. Irvis' request is not an attempt to contravene cutting off all debate. He is simply saying that the debate is over, the amendment process is over, but this House has in the past and has more recently followed both rules regarding whether or not the amendments should be in the bill before members are asked to vote on final passage, and his request simply is to order the bill printed so that members have the full printed bill before them, and the vote will have to be taken without any further debate at that time.

Now it is within the power of the Chair, I think, to allow that. There is precedent written into the Pennsylvania Manual that previous Speakers have ruled that such amendments must be printed in the bill because it is a constitutional requirement. I am well aware that we have not always followed that, and that this House has allowed discretion within the Chair on whether or not the amendments and the subject matter are of such importance that members ought to see them in print in the bill to read exactly where they go, on what line, and how the bill reads in final form, before voting on the bill, and that is the request. I would think that, although this House has moved to cut off debate, that does not necessarily carry with it the fact that the bill must be immediately voted without printing the amendments in the bill and I would support Mr. Irvis in his recommendation that the bill be prepared for final passage.

The SPEAKER. The Chair repeats that it is the Chair's belief that when the House adopted the motion on the previous question, which included the final passage of HB 2044, it took the right of the Speaker to rule to do otherwise and to put the question immediately before the House.

The parliamentarian suggests I read that part of rule 61 which I just referred to. "A motion for the previous question, seconded by 20 members and sustained by a majority of the members present, shall put an end to all debate and bring the House to an immediate vote on the question then pending or the questions on which it has been ordered." And the Chair does not believe it has the latitude to do other than against the majority will of this House.

On the question recurring,

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

REMARKS ON VOTE

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

Mr. WILLIAMS. Mr. Speaker, on the previous question, the vote on the previous question, I was recorded incorrectly. My vote was recorded "no." I intended to be voted in the affirmative and I am requesting that I be put on the record as an affirmative on the previous vote on the previous question.

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

PARLIAMENTARY INQUIRY

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

Mr. ITKIN. A matter of parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. ITKIN. If this bill were to pass tonight, where would its position be?

The SPEAKER. It will be sent to the other body who was out of session and did not receive it. They can receive it internally, but it will not be before them because they will not be in session until, I believe, next Monday.

Mr. ITKIN. And what time Monday is the earliest time the Senate could receive the bill?

The SPEAKER. The Senate could receive the bill tomorrow.

Mr. ITKIN. But the Senate is not in session to receive it.

The SPEAKER. But the messengers continually go back and forth between the two bodies, and the Chair anticipates that the bill will be in the possession of the Senate tomorrow.

Mr. ITKIN. I guess what I am suggesting, Mr. Speaker, is, since the Senate cannot consider the bill until 3 o'clock on Monday on whenever they return, why can we not have the bill reprinted and vote the bill when we come back into session?

The SPEAKER. The Chair does not believe that the gentleman's suggestion would meet with the approval of the majority of the members of this House.

Mr. ITKIN. In the adjournment resolution, when is the Senate coming back into session?

The SPEAKER. Monday, March 17, unless sooner recalled by the President Pro Tempore. The question pertains to the adjournment resolution of the Senate?

Mr. ITKIN. Right.

The SPEAKER. Next Monday.

Mr. ITKIN. I see, Mr. Speaker. Thank you.

REMARKS ON VOTE

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

Mr. RICHARDSON. Mr. Speaker, I would like to have my vote recorded in the affirmative on the motion to move the previous question. I am recorded in the negative; I want to be recorded in the affirmative on the record.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. STREET. I make the same request.

The SPEAKER. The Chair thanks the gentleman.

CONSIDERATION OF HB 2044 CONTINUED

On the question recurring,

Shall the bill pass finally?

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

YEAS—142

Anderson	Foster, W. W.	Levi	Schmitt
Armstrong	Foster, Jr., A.	Livengood	Schweder
Arty	Fryer	Lynch, E. R.	Serafini
Belardi	Gallagher	McCall	Seventy
Bennett	Gallen	McClatchy	Sieminski

Bittle	Gamble	McKelvey	Sirianni
Bowser	Gannon	McVerry	Smith, E. H.
Brandt	Gatski	Mackowski	Smith, L. E.
Brown	Geesey	Manmiller	Spencer
Burd	Geist	Micozzie	Spitz
Burns	George, C.	Milanovich	Stairs
Caltagirone	George, M. H.	Miller	Steighner
Cappabianca	Gladeck	Moehlmann	Stewart
Cessar	Goebel	Mowery	Stuban
Chess	Goodman	Murphy	Swift
Cimini	Grabowski	Nahill	Taddonio
Clark, B. D.	Grieco	Noye	Taylor, E. Z.
Clark, M. R.	Gruppo	O'Brien, B. F.	Taylor, F.
Cochran	Halverson	Perzel	Telek
Cole	Hasay	Peterson	Thomas
Cornell	Hayes, Jr., S.	Petrarca	Trello
Coslett	Helfrick	Piccola	Vroon
Cowell	Honaman	Pistella	Wass
Cunningham	Hutchinson, A.	Pitts	Wenger
DeMedio	Hutchinson, W.	Polite	Wilson
DeVerter	Johnson, E. G.	Pott	Wilt
DiCarlo	Jones	Pratt	Wright, D. R.
Davies	Kanuck	Punt	Wright, Jr., J.
Dawida	Klingaman	Pyles	Yahner
Dietz	Knepper	Reed	Yohn
Dorr	Kolter	Ritter	Zeller
Duffy	Kowalyszyn	Rocks	Zitterman
Durham	Lashingar	Rodgers	Zord
Fee	Laughlin	Ryan	
Fischer	Lehr	Salvatore	Seltzer,
Fisher	Letterman	Scheaffer	Speaker

NAYS—37

Austin	Irvis	Michlovic	Richardson
Barber	Itkin	Mrkonic	Rieger
Borski	Johnson, J. J.	Mullen	Shupnik
Cohen	Knight	Novak	Street
DeWeese	Kukovich	Oliver	Sweet
Dombrowski	Levin	Pievsky	Wachob
Dumas	McIntyre	Pucciarelli	Wargo
Earley	McMonagle	Rappaport	White
Gray	Manderino	Rhodes	Williams
Harper			

NOT VOTING—17

Alden	Giammarco	Lewis	O'Donnell
Beloff	Greenfield	Madigan	Shadding
Berson	Hayes, D. S.	Musto	Weidner
Dininni	Hoefel	O'Brien, D. M.	Zwikl
Freind			

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

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

REQUEST FOR RECONSIDERATION OF VOTE ON HB 2044

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. Mr. Speaker, I intend to immediately file a motion for reconsideration of the vote by which this bill passed finally and request that the reconsideration vote be placed on the return of this House.

The SPEAKER. The Chair recognizes the majority leader.

Mr. IRVIS. Oh, that better not have happened. You have not seen me lose my temper in a long time, but that will do it.

Mr. RYAN. Now, Mr. Irvis, you are listening to rumors. Mr. Speaker.

The SPEAKER. The Chair recognizes Mr. Ryan.

Mr. RYAN. My recollection of the count on final passage was some 141 votes in favor of final passage of HB 2044. If Mr. Irvis wishes that vote reconsidered, I would suggest that it be done immediately so that can be disposed of and the bill can go to the Senate so that they might consider it in a speedy fashion.

The SPEAKER. The Chair recognizes the minority leader.

Mr. IRVIS. It is obviously my intent not to place the motion immediately, and my request is that it not be. The bill cannot go to the Senate; the Senate is not in session. There is no place for the bill to remain except in the possession of the House.

The SPEAKER. The gentleman is in error.

Mr. IRVIS. Is the Senate in session, sir?

The SPEAKER. The messages that transpire between the House and the Senate go on continually whether or not the House or the Senate are in session.

Mr. IRVIS. Sir, may I question the Chair as to who receives the message when the Senate is not in session.

The SPEAKER. The secretary of the Senate.

Mr. IRVIS. My query to the Chair is then whether or not the Senate has officially received the message if it is not in session or whether it is merely in the custody of the House and physically transmitted to the Senate secretary?

The SPEAKER. It is the understanding of the Chair that when a piece of legislation or message is transmitted to the Senate it is signed for by the appropriate officer of the Senate, and at that time that message and/or resolution and/or piece of legislation, whatever matter it is, is then in the legal possession of the Senate.

Mr. IRVIS. Is it the intention of the Chair to honor the request of the majority leader that this motion be placed immediately?

The SPEAKER. That decision is up to a majority of the members of the House and not to the Chair.

REQUEST WITHDRAWN

Mr. IRVIS. Obviously, Mr. Speaker, the majority of the members of this House will agree with the majority leader in this particular instance, and it is futile to pursue the motion. I withdraw it.

The SPEAKER. The Chair thanks the gentleman.

COMMUNICATIONS FROM GOVERNOR

BILLS SIGNED BY GOVERNOR

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

APPROVAL OF HBs Nos. 339 and 1850.

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

February 29, 1980

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

I have the honor to inform you that I have this day approved and signed House Bill 339, Printer's No. 361, entitled "An act creating the Veterans Memorial Commission as a temporary body to develop detailed plans for the creation of a State memorial honoring Pennsylvania servicemen and to submit a report of its findings, recommendations and proposed legislation to the General Assembly".

DICK THORNBURGH
GOVERNOR

Commonwealth of Pennsylvania
Governor's Office, Harrisburg

February 29, 1980

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

I have the honor to inform you that I have this day approved and signed House Bill 1850, Printer's No. 2539, entitled "An act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for certain provisions relating to juveniles".

DICK THORNBURGH
GOVERNOR

MOTION TO ADJOURN

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. I move that this House now adjourn until Monday, March 17, 1980, at 1 p.m., e.s.t.

The SPEAKER. The Chair recognizes Mr. Cowell.

Mr. COWELL. Mr. Speaker, Mr. Grabowski has been trying to get your attention for the last several minutes and did not want to interrupt the two leaders.

MOTION WITHDRAWN TEMPORARILY

The SPEAKER. Will the gentleman, Mr. Ryan, yield?

Mr. RYAN. Yes, sir. I withdraw it temporarily.

REMARKS ON VOTE

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

Mr. GRABOWSKI. Mr. Speaker, I have been politely standing here since the moment the vote was taken. At one point there was a green light on the board but somehow the vote came off and I am not recorded. I would like to be recorded, not just in the minutes but recorded in the affirmative.

The SPEAKER. The Chair thanks the gentleman.

PERSONAL PRIVILEGE

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

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

The SPEAKER. The gentleman will state it.

Mr. RICHARDSON. Mr. Speaker I rise to raise the question that was raised earlier during—

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

Mr. RICHARDSON. I was waiting for order, Mr. Speaker.

The SPEAKER. The gentleman will please state his question of personal privilege.

Mr. RICHARDSON. Mr. Speaker, I rise to a point concerning the vote that just was passed, Mr. Speaker, and I would like to have unanimous consent to address the House.

The SPEAKER. The gentleman, Mr. Richardson, asks unanimous consent to address the House.

Objection has been raised.

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.

ADJOURNMENT

The SPEAKER. The Chair recognizes the majority leader.

Mr. RYAN. I move that this House of Representatives do now adjourn until Monday, March 17, 1980, at 1 p.m., e.s.t.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 5:50 p.m., e.s.t., the House adjourned.