

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

WEDNESDAY, DECEMBER 16, 1981

SESSION OF 1981

165TH OF THE GENERAL ASSEMBLY

No. 81

HOUSE OF REPRESENTATIVES

The House convened at 10 a.m., e.s.t.

THE SPEAKER (MATTHEW J. RYAN) IN THE CHAIR

PRAYER

REV. TAYLOR POTTER, chaplain of the House of Representatives and pastor of the Market Square Presbyterian Church, Harrisburg, Pennsylvania, offered the following prayer:

Let us pray:

Almighty God, we stand in awe of Your power and presence. When we think of You, we wonder how You could care for us. Yet we are tempted often to take power in our own hands and forget that You are God. Help us, our Father, not to act as little gods. Today help us not to quit before our work is finished.

Bless each one, O God, as thoughts turn now to the holidays, family celebrations, and renewal of faith, in the name of the one whose birth we soon celebrate. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, approval of the Journal of Tuesday, December 15, 1981, will be postponed until printed. The Chair hears no objection.

HOUSE BILLS INTRODUCED AND REFERRED

No. 2128 By Representatives SIRIANNI, MANMILLER, NOYE, J. L. WRIGHT, HAYES, POTT, MORRIS, E. Z. TAYLOR, MERRY, VROON, H. WILLIAMS, PRATT and BURNS

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), further providing for election to intermediate boards.

Referred to Committee on EDUCATION, December 15, 1981.

No. 2129 By Representative WACHOB

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining emergency vehicle.

Referred to Committee on TRANSPORTATION, December 15, 1981.

No. 2130 By Representative WACHOB

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, further providing for customer notifications and estimates of service charges.

Referred to Committee on CONSUMER AFFAIRS, December 15, 1981.

No. 2131 By Representatives KUKOVICH, McCALL, CAWLEY, WARGO, RITTER, COHEN, ZWIKL, STUBAN, LETTERMAN, MORRIS, COLAFELLA, STEIGHNER, WOZNIAK, CLARK, LIVENGOOD, D. R. WRIGHT, A. K. HUTCHINSON, SEVENTY, F. E. TAYLOR, STEWART, WACHOB, DeWEESE, LESCOVITZ, HOFFEL, PISTELLA, GAMBLE, WAMBACH, BELFANTI, TRELLO, SWEET, CAPPABIANCA, BLAUM, TIGUE, HALUSKA, CALTAGIRONE, SHUPNIK, GRUITZA, COWELL, LUCYK, OLASZ, EVANS, VAN HORNE, KOWALYSHYN and DUFFY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, defining the offense of arson murder.

Referred to Committee on JUDICIARY, December 15, 1981.

No. 2132 By Representatives STEIGHNER, McCALL, CAWLEY, WARGO, RITTER, COHEN, ZWIKL, CLARK, STUBAN, LIVENGOOD, LETTERMAN, PENDLETON, MORRIS, OLASZ, COLAFELLA, WOZNIAK, D. R. WRIGHT, A. K. HUTCHINSON, SHOWERS, KUKOVICH, WACHOB, SEVENTY, F. E. TAYLOR, STEWART, SWEET, FEE, HOFFEL, DeWEESE, LESCOVITZ, PISTELLA, MICHLOVIC, GAMBLE, WAMBACH, BELFANTI, KOWALYSHYN, TRELLO, CAPPABIANCA, BLAUM, TIGUE, HALUSKA, CALTAGIRONE, SHUPNIK,

GRUITZA, LUCYK, COWELL, EVANS,  
VAN HORNE, MANDERINO, IRVIS and  
DUFFY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for arson and related offenses.

Referred to Committee on JUDICIARY, December 15, 1981.

**No. 2133** By Representatives MORRIS, McCALL, CAWLEY, WARGO, RITTER, COHEN, ZWIKL, CLARK, STUBAN, LETTERMAN, COLAFELLA, STEIGHNER, WOZNIAK, SHOWERS, KUKOVICH, OLASZ, CLARK, LIVENGOOD, PENDLETON, D. R. WRIGHT, SEVENTY, F. E. TAYLOR, STEWART, WACHOB, DeWEESE, LESCOVITZ, HOEFFEL, PISTELLA, MICHLOVIC, GAMBLE, TRELLO, SWEET, FEE, KOWALYSHYN, WAMBACH, BELFANTI, CAPPABIANCA, BLAUM, TIGUE, HALUSKA, CALTAGIRONE, SHUPNIK, GRUITZA, COWELL, LUCYK, EVANS, VAN HORNE, MANDERINO, A. K. HUTCHINSON, IRVIS and DUFFY

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for fines for arson committed for profit.

Referred to Committee on JUDICIARY, December 15, 1981.

**No. 2134** By Representatives COLAFELLA, McCALL, CAWLEY, WARGO, RITTER, COHEN, ZWIKL, STUBAN, CLARK, LETTERMAN, LIVENGOOD, PENDLETON, MORRIS, STEIGHNER, WOZNIAK, SHOWERS, KUKOVICH, HOEFFEL, OLASZ, D. R. WRIGHT, SEVENTY, STEWART, SWEET, FEE, WACHOB, DeWEESE, LESCOVITZ, PISTELLA, MICHLOVIC, GAMBLE, F. E. TAYLOR, KOWALYSHYN, WAMBACH, BELFANTI, CAPPABIANCA, BLAUM, TIGUE, HALUSKA, CALTAGIRONE, SHUPNIK, GRUITZA, COWELL, LUCYK, EVANS, VAN HORNE, IRVIS, A. K. HUTCHINSON, MANDERINO, DUFFY and TRELLO

An Act amending the "Arson Reporting Immunity Act," approved July 2, 1980 (P. L. 340, No. 85), requiring owners of buildings to notify inspecting agencies of the identity of insurers and requiring the payment of all liens and encumbrances owed to a municipality.

Referred to Committee on JUDICIARY, December 15, 1981.

**No. 2135** By Representatives CAWLEY, McCALL, WARGO, COHEN, ZWIKL, STUBAN, LETTERMAN, COLAFELLA, STEIGHNER, WOZNIAK, SHOWERS, KUKOVICH, OLASZ, CLARK, LIVENGOOD, PENDLETON, D. R. WRIGHT, SEVENTY, F. E. TAYLOR, STEWART, WACHOB, DeWEESE, LESCOVITZ, HOEFFEL, PISTELLA, MICHLOVIC, GAMBLE, TRELLO, SWEET, FEE, KOWALYSHYN, WAMBACH, BELFANTI, CAPPABIANCA, BLAUM, TIGUE, HALUSKA, CALTAGIRONE, SHUPNIK, GRUITZA, COWELL, LUCYK, EVANS, VAN HORNE, MANDERINO, A. K. HUTCHINSON, IRVIS, DUFFY, RITTER and MORRIS

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for a defense relating to arson.

Referred to Committee on JUDICIARY, December 15, 1981.

**No. 2136** By Representatives SHOWERS, McCALL, CAWLEY, WARGO, RITTER, COHEN, ZWIKL, STUBAN, LETTERMAN, MORRIS, COLAFELLA, STEIGHNER, WOZNIAK, KUKOVICH, OLASZ, CLARK, LIVENGOOD, PENDLETON, SEVENTY, F. E. TAYLOR, STEWART, WACHOB, DeWEESE, LESCOVITZ, HOEFFEL, PISTELLA, MICHLOVIC, GAMBLE, HALUSKA, LUCYK, TRELLO, FEE, WAMBACH, BELFANTI, CAPPABIANCA, BLAUM, TIGUE, CALTAGIRONE, SHUPNIK, GRUITZA, COWELL, D. R. WRIGHT, EVANS, VAN HORNE, MANDERINO, IRVIS, A. K. HUTCHINSON, KOWALYSHYN, DUFFY and SWEET

An Act providing for the disposition of fines imposed for arson committed for profit establishing the Arson Reward Commission and the Arson Reward Fund, further providing for duties of the Pennsylvania Emergency Management Agency and making an appropriation.

Referred to Committee on JUDICIARY, December 15, 1981.

**No. 2137** By Representatives GLADECK, MAIALE, LASHINGER and McINTYRE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the length of certain vehicles.

Referred to Committee on TRANSPORTATION, December 15, 1981.

**No. 2138** By Representative PERZEL

An Act prohibiting self-service gasoline sales and providing a penalty.

Referred to Committee on BUSINESS AND COMMERCE, December 15, 1981.

**No. 2139** By Representative PERZEL

An Act amending the act of May 23, 1945 (P. L. 926, No. 369), entitled "An act for the protection of the public health by regulating the conduct and operation of public eating and drinking places within this Commonwealth;\*\*\*" providing for minimum parking capacity requirements.

Referred to Committee on LIQUOR CONTROL, December 15, 1981.

**No. 2140** By Representatives PERZEL, FRAZIER, FLECK, MARMION and GRUPPO

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), providing for the immediate issuance of citations.

Referred to Committee on LIQUOR CONTROL, December 15, 1981.

**No. 2141** By Representatives SPENCER, BERSON, PICCOLA, ALDEN, LEVIN, HAGARTY, KUKOVICH, McVERRY, WACHOB, REBER, SWEET, LASHINGER, HORGOS, SPITZ, R. C. WRIGHT and HOFFEL

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, adding provisions relating to domestic relations, making conforming amendments to Title 42 and repealing certain acts and parts of acts supplied by the act or otherwise obsolete.

Referred to Committee on JUDICIARY, December 15, 1981.

**No. 2142** By Representative MANDERINO

An Act to apportion the Commonwealth of Pennsylvania into congressional districts in conformity with constitutional requirements; and providing for the nomination and election of Congressmen.

Referred to Committee on STATE GOVERNMENT, December 15, 1981.

**No. 2143** By Representatives J. L. WRIGHT, CLYMER, GREENWOOD and BURNS

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, exempting from taxation income earned on certain certificates of deposit.

Referred to Committee on JUDICIARY, December 15, 1981.

**No. 2144** By Representatives RYBAK, KOWALYSHYN, SPENCER, RITTER, SIEMINSKI, GRUPPO, SHUPNIK, MORRIS, WESTON, SWAIM, H. WILLIAMS, SNYDER, WIGGINS, WAMBACH, STEWART, BROWN, HALUSKA, PUNT, OLIVER, GRAY,

RICHARDSON, J. D. WILLIAMS, EVANS, McVERRY, FRAZIER, FLECK, RASCO, HORGOS, WOZNIAK, PETRONE, BORSKI, VROON, GALLEN, F. E. TAYLOR, LAUGHLIN, MILLER, GRUITZA, TELEK, DIETZ, ARTY, SALVATORE, ZWIKL and WARGO

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for costs in district justice proceedings.

Referred to Committee on JUDICIARY, December 15, 1981.

**SENATE BILLS FOR CONCURRENCE**

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

**SB 63, PN 1508**

Referred to Committee on HEALTH AND WELFARE, December 15, 1981.

**SB 622, PN 639**

Referred to Committee on APPROPRIATIONS, December 15, 1981.

**SB 1027, PN 1480**

Referred to Committee on STATE GOVERNMENT, December 15, 1981.

**HOUSE RESOLUTION INTRODUCED AND REFERRED**

**No. 138** By Representatives RITTER, CAWLEY, WARGO, LESCOVITZ, COHEN, ZWIKL, SEVENTY, STUBAN, CLARK, LETTERMAN, MORRIS, COLAFELLA, STEIGHNER, WOZNIAK, SHOWERS, KUKOVICH, WACHOB, DeWEESE, HOFFEL, HALUSKA, OLASZ, LIVENGOOD, PENDLETON, TRELLO, PISTELLA, MICHLOVIC, GAMBLE, WAMBACH, BELFANTI, CAPPABIANCA, BLAUM, TIGUE, CALTAGIRONE, SHUPNIK, GRUITZA, McCALL, COWELL, LUCYK, D. R. WRIGHT, EVANS, KOWALYSHYN, VAN HORNE, MANDERINO, IRVIS, A. K. HUTCHINSON, DUFFY, F. E. TAYLOR, STEWART, SWEET and FEE

House urges Governor establish a toll-free number for reporting information relating to arson.

Referred to Committee on RULES, December 15, 1981.

**LEAVES OF ABSENCE GRANTED**

The SPEAKER. The Chair recognizes the majority whip.  
Mr. CESSAR. Thank you, Mr. Speaker.

I do request leaves of absence for the day for the gentleman from York, Mr. LEHR, and the lady from Montgomery, Mrs. LEWIS, for today's session.

The SPEAKER. Without objection, leaves will be granted.  
The Chair hears no objection.

The Chair recognizes the gentleman from Elk, Mr. Wachob.

Mr. WACHOB. Mr. Speaker, we request leaves for the gentleman from Berks, Mr. BROWN, for today, and the gentleman from Philadelphia, Mr. BARBER, for today.

The SPEAKER. Without objection, leaves will be granted.  
The Chair hears no objection.

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

**SB 805, PN 1552 (Amended)**

By Rep. GALLEN

An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), entitled "Pennsylvania Election Code," apportioning the Commonwealth into congressional districts.

STATE GOVERNMENT.

**CALENDAR****BILL ON SECOND CONSIDERATION**

The House proceeded to second consideration of **HB 1182, PN 1961**, entitled:

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), further providing for interest and penalties on the Utilities Gross Receipts Tax.

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

**BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. HAYES. Mr. Speaker, I move that HB 1182, PN 1961, be placed upon the table.

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

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1670, PN 1949**, entitled:

An Act amending the "Judiciary Act of 1976," approved July 9, 1976 (P. L. 586, No. 142), exempting the Commonwealth from certain fees charged by the office of the prothonotary of the court of common pleas of counties of the first class.

On the question,

Will the House agree to the bill on third consideration?

**BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. HAYES. Mr. Speaker, I move that HB 1670 be placed upon the table.

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

\* \* \*

The House proceeded to third consideration of **HB 1671, PN 2099**, entitled:

An Act amending the act of July 11, 1980 (P. L. 643, No. 133), entitled "An act fixing the fees to be received by the prothonotary of Philadelphia County," further providing for the fee to commence or execute upon a Commonwealth tax lien.

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

**BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. HAYES. Mr. Speaker, I move that HB 1671 be placed upon the table.

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

\* \* \*

The House proceeded to third consideration of **HB 1674, PN 2167**, entitled:

An Act amending the "Pennsylvania Cigarette Tax Act," approved July 22, 1970 (P. L. 513, No. 178), defining warehouse operator and imposing license requirements, further defining "dealer" to include warehouse operators; deleting certain exemptions, imposing requirements and fees for certain transfers of licenses and changing penalties for operating without a license.

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

**BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. HAYES. Mr. Speaker, I move that HB 1674, PN 2167, be placed upon the table.

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

**MASTER ROLL CALL RECORDED**

The SPEAKER. Members please report to the floor of the House. The Chair is about to take up today's master roll call. Members will proceed to vote.

The following roll call was recorded:

PRESENT—190

Alden	Fargo	Livengood	Rocks
Anderson	Fee	Lloyd	Rybak
Armstrong	Fischer	Lucyk	Salvatore
Arty	Fleck	McCall	Saurman
Belardi	Foster, W. W.	McClatchy	Serafini
Belfanti	Foster, Jr., A.	McMonagle	Seventy
Beloff	Frazier	McVerry	Showers
Berson	Freind	Mackowski	Shupnik
Bittle	Fryer	Madigan	Sieminski
Blaum	Gallagher	Maiale	Sirianni
Borski	Gallen	Manderino	Smith, B.
Bowser	Gamble	Manmiller	Smith, L. E.
Boyes	Gannon	Marmion	Snyder
Brandt	Geist	Merry	Spencer
Burd	George	Michlovic	Spitz
Burns	Gladeck	Micozzie	Stairs
Caltagirone	Grabowski	Miller	Steighner
Cappabianca	Gray	Miscevich	Stevens
Cawley	Greenfield	Moehlmann	Stewart
Cessar	Greenwood	Morris	Siuban
Cimini	Grieco	Mowery	Swaim
Civera	Gruitza	Mrkomic	Sweet
Clark	Gruppo	Mullen	Swift
Clymer	Hagarty	Murphy	Taddonio
Cochran	Haluska	Nahill	Taylor, E. Z.
Cohen	Harper	Noye	Taylor, F. E.
Colafella	Hasay	O'Donnell	Telek
Cole	Hayes	Olasz	Tigue
Cordisco	Heiser	Oliver	Treffo
Cornell	Hoeffel	Pendleton	Van Horne
Coslett	Honaman	Perzel	Vroon
Cowell	Horgos	Peterson	Wachob
Cunningham	Hutchinson, A.	Petrarca	Wambach
DeMedio	Hutchinson, W.	Petrone	Wargo
DeVerter	Itkin	Phillips	Wass
DeWeese	Jackson	Piccola	Wenger
Daikeler	Johnson	Pistella	Weston
Davies	Kennedy	Pitts	Wiggins
Dawida	Klingaman	Pott	Williams, H.
Deal	Kolter	Pratt	Williams, J. D.
Dietz	Kowalyshyn	Pucciarelli	Wilson
Dininni	Kukovich	Punt	Wozniak
Dombrowski	Lashinger	Rappaport	Wright, D. R.
Donatucci	Laughlin	Rasco	Wright, J. L.
Dorr	Lescovitz	Reber	Wright, R. C.
Duffy	Letterman	Richardson	
Durham	Levi	Rieger	Ryan,
Evans	Levin	Ritter	Speaker

ADDITIONS—3

Kanuck	Smith, E. H.	Zwikl
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NOT VOTING—1

Emerson

EXCUSED—8

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

REMARKS ON VOTE

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

Mr. WOZNIAK. Mr. Speaker, last night the board was frozen before I was able to get my vote recorded on HB 1290, and I would like to be recorded as voting in the negative.

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

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 1766, PN 2093**, entitled:

An Act requiring retail motor vehicle service stations to have air pumps for the public and providing penalties and civil remedies.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I move that HB 1766 be placed upon the table.

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

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The House proceeded to third consideration of **HB 178, PN 1762**, entitled:

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), providing for the waiver of certain late filing fees by the board, further providing for the surrender of club licenses and exempting collectors of miniature bottles from certain provisions of the act.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I move that HB 178 be placed upon the table.

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

\* \* \*

The House proceeded to third consideration of **HB 1226, PN 2387**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for duties and jurisdiction of the Municipal Court of Philadelphia.

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

BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. I move that HB 1226 be placed upon the table.

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

\* \* \*

The House proceeded to third consideration of **HB 1227**,  
**PN 1362**, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the selection of the Prothonotary of Philadelphia.

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

### BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.  
Mr. HAYES. Mr. Speaker, I move that HB 1227 be placed upon the table.

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

\* \* \*

The House proceeded to third consideration of **HB 1228**,  
**PN 1363**, entitled:

An Act amending the act of June 1, 1956 (1955 P. L. 1959, No. 657), referred to as the Public Official Compensation Law, further providing for the salary of the President Judge and associate judges of the Philadelphia Municipal Court.

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

### BILL TABLED

The SPEAKER. The Chair recognizes the majority leader.  
Mr. HAYES. Mr. Speaker, I move that HB 1228 be placed upon the table.

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

\* \* \*

The House proceeded to third consideration of **HB 1322**,  
**PN 1472**, entitled:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further defining "bus."

On the question,  
Will the House agree to the bill on third consideration?  
Mr. SWEET offered the following amendments No. A5225:

Amend Title, page 1, line 2, by removing the period close quote after "bus" and inserting  
," requiring school buses to stop at all  
railroad crossings.

Amend Bill, page 2, by inserting between lines 6 and 7  
Section 2. Section 3342 of Title 75 is amended to read:  
§ 3342. Vehicles required to stop at railroad crossings.

(a) General rule.—Except as provided in subsection (b), the driver of any vehicle described in regulations issued pursuant to subsection (c), before crossing at grade any track or tracks of a railroad, shall stop the vehicle within 50 feet but not less than 15 feet from the nearest rail of the railroad and while so stopped shall listen and look in both directions along the track for any approaching train, and for signals indicating the approach of a train, and shall not proceed until it can be done safely. After stopping and upon proceeding when it is safe to do so the driver of the vehicle shall cross only in such gear of the vehicle that there will be no necessity for manually changing gears while traversing the crossing and the driver shall not manually shift gears while crossing the track or tracks.

(b) Exceptions.—This section does not apply except as to drivers of school buses at any of the following:

(1) Any railroad grade crossing at which traffic is controlled by a police officer or flagman.

(2) Any railroad grade crossing at which traffic is regulated by a traffic-control signal.

(3) Any railroad grade crossing protected by crossing gates or an alternately flashing light signal intended to give warning of the approach of a railroad train.

(4) Any railroad grade crossing at which an official traffic-control device gives notice that the stopping requirement imposed by this section does not apply.

(c) Regulations defining vehicles subject to section.—The department shall adopt such regulations as may be necessary describing the vehicles which must comply with the stopping requirements of this section. In formulating the regulations, the department shall give consideration to the hazardous nature of any substance carried by the vehicle as determined by the Hazardous Substances Transportation Board and to the number of passengers carried by the vehicle in determining whether the vehicle shall be required to stop. These regulations shall be developed in conjunction with the Pennsylvania Public Utility Commission and the Urban Mass Transportation Authority and shall correlate with and so far as possible conform to the current regulations of the United States Department of Transportation.

Amend Sec. 2, page 2, line 7, by striking out "2" and inserting

3

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

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

Mr. SWEET. Thank you, Mr. Speaker.

I apologize to the Chair and to the membership for not being here earlier.

The amendment I am offering is to rectify what I believe was really an inadvertent action on the part of the Pennsylvania Department of Transportation. In this little book—it is called "The School Bus Drivers Handbook"—the department says that because of changes in the Motor Vehicle Code, which this legislature made, that it is not only improper for school bus drivers to stop at railroad crossings; it is illegal for them to do so, and they may be prosecuted for it. The coroner in Washington County has been a longtime, very vehement advocate of school bus safety, and he brought this to my attention.

What I am doing in this amendment is saying that the section of the Vehicle Code which we changed, which has been construed by the department to prohibit school bus drivers from stopping at railroad intersections, be modified so

that an exception is created and school bus drivers will stop at railroad crossings. I think it is important that they do so. I think the safety aspects are very clear, and I would ask for an affirmative vote.

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

The following roll call was recorded:

YEAS—174

Anderson	Fischer	Livengood	Rybak
Armstrong	Fleck	Lloyd	Salvatore
Arty	Foster, W. W.	Lucyk	Saurman
Belardi	Foster, Jr., A.	McCall	Serafini
Belfanti	Frazier	McClatchy	Seventy
Beloff	Freind	McVerry	Showers
Berson	Fryer	Mackowski	Shupnik
Bittle	Gallagher	Madigan	Sieminski
Blaum	Gallen	Maiale	Smith, B.
Borski	Gamble	Manderino	Smith, L. E.
Bowser	Gannon	Manmiller	Snyder
Boyes	Geist	Marmion	Spitz
Brandt	George	Merry	Stairs
Burd	Gladeck	Michlovic	Steighner
Burns	Grabowski	Micozzie	Stevens
Caltagirone	Gray	Miller	Stewart
Cappabianca	Greenwood	Miscevich	Stuban
Cawley	Grieco	Morris	Swaim
Cessar	Gruitza	Mowery	Sweet
Cimini	Gruppo	Mrkonic	Swift
Civera	Hagarty	Mullen	Taddonio
Clark	Haluska	Murphy	Taylor, E. Z.
Clymer	Hasay	Nahill	Taylor, F. E.
Cochran	Hayes	Noye	Telek
Colafella	Heiser	O'Donnell	Tigue
Cole	Hoeffel	Olasz	Trello
Cordisco	Honaman	Oliver	Van Horne
Cornell	Horgos	Pendleton	Vroon
Coslett	Hutchinson, A.	Perzel	Wachob
Cowell	Hutchinson, W.	Peterson	Wambach
Cunningham	Itkin	Petrarca	Wargo
DeMedio	Jackson	Petrone	Wass
DeVertter	Johnson	Phillips	Wenger
Daikeler	Kennedy	Piccola	Weston
Davies	Klingaman	Pistella	Williams, H.
Dawida	Kolter	Pott	Williams, J. D.
Dietz	Kowalshyn	Pratt	Wilson
Dininni	Kukovich	Pucciarelli	Wozniak
Dombrowski	Lashinger	Punt	Wright, D. R.
Donatucci	Laughlin	Rasco	Wright, J. L.
Dorr	Lescovitz	Reber	Wright, R. C.
Duffy	Letterman	Rieger	
Fargo	Levi	Ritter	Ryan,
Fee	Levin	Rocks	Speaker

NAYS—1

Moehlmann

NOT VOTING—19

Alden	Emerson	McMonagle	Smith, E. H.
Cohen	Evans	Pitts	Spencer
DeWeese	Greenfield	Rappaport	Wiggins
Deal	Harper	Richardson	Zwilk
Durham	Kanuck	Sirianni	

EXCUSED—8

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—181

Alden	Fargo	Levin	Rocks
Anderson	Fee	Livengood	Rybak
Armstrong	Fischer	Lloyd	Salvatore
Arty	Fleck	Lucyk	Saurman
Belardi	Foster, W. W.	McCall	Serafini
Belfanti	Foster, Jr., A.	McClatchy	Seventy
Beloff	Frazier	McMonagle	Showers
Berson	Freind	McVerry	Sieminski
Bittle	Fryer	Mackowski	Sirianni
Blaum	Gallagher	Madigan	Smith, B.
Borski	Gallen	Maiale	Smith, L. E.
Bowser	Gamble	Manmiller	Snyder
Boyes	Gannon	Marmion	Spitz
Brandt	Geist	Merry	Stairs
Burd	George	Michlovic	Steighner
Burns	Gladeck	Micozzie	Stevens
Caltagirone	Grabowski	Miller	Stewart
Cappabianca	Gray	Miscevich	Stuban
Cawley	Greenwood	Moehlmann	Swaim
Cessar	Grieco	Morris	Sweet
Cimini	Gruitza	Mowery	Swift
Civera	Gruppo	Mrkonic	Taddonio
Clark	Hagarty	Mullen	Taylor, E. Z.
Clymer	Haluska	Murphy	Taylor, F. E.
Cochran	Harper	Nahill	Telek
Cohen	Hasay	Noye	Tigue
Colafella	Hayes	Olasz	Trello
Cole	Heiser	Oliver	Van Horne
Cordisco	Hoeffel	Pendleton	Vroon
Cornell	Honaman	Perzel	Wachob
Coslett	Horgos	Peterson	Wambach
Cowell	Hutchinson, A.	Petrarca	Wargo
Cunningham	Hutchinson, W.	Petrone	Wass
DeMedio	Itkin	Phillips	Wenger
DeVertter	Jackson	Piccola	Weston
DeWeese	Johnson	Pistella	Williams, H.
Daikeler	Kennedy	Pitts	Williams, J. D.
Davies	Klingaman	Pott	Wilson
Dawida	Kolter	Pratt	Wozniak
Dietz	Kowalshyn	Pucciarelli	Wright, D. R.
Dininni	Kukovich	Punt	Wright, J. L.
Dombrowski	Lashinger	Rappaport	Wright, R. C.
Donatucci	Laughlin	Rasco	
Dorr	Lescovitz	Reber	Ryan,
Duffy	Letterman	Rieger	Speaker
Durham	Levi	Ritter	

NAYS—0

NOT VOTING—13

Deal	Kanuck	Richardson	Spencer
Emerson	Manderino	Shupnik	Wiggins
Evans	O'Donnell	Smith, E. H.	Zwilk
Greenfield			

EXCUSED—8

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

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

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

**REMARKS ON VOTES**

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

Mrs. HARPER. Thank you, Mr. Speaker.

Mr. Speaker, on the Sweet amendment to HB 1322 I was out of my seat, and I would like to be recorded in the affirmative.

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

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

Mr. DEAL. Mr. Speaker, I was out of my seat on the last vote on HB 1322. Had I been sitting in my seat, I would have voted in the affirmative for the amendment A5225 and also in the affirmative for the bill.

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

Mr. DEAL. Thank you, sir.

**BILLS ON THIRD CONSIDERATION CONTINUED**

The House proceeded to third consideration of **HB 1283, PN 2406**, entitled:

An Act fixing the salary of the register of wills, district attorney, city commissioners, clerk of quarter sessions and the sheriff of Philadelphia and making repeals.

On the question,

Will the House agree to the bill on third consideration?

Mr. O'DONNELL offered the following amendment No. A5041:

Amend Sec. 2, page 1, line 9, by striking out "\$42,000" and inserting

\$1,000 less than the annual salary of a judge of the court of common pleas.

On the question,

Will the House agree to the amendment?

The SPEAKER. This amendment appears on your desks in the name of Mr. McMonagle.

The Chair recognizes the gentleman from Philadelphia, Mr. O'Donnell.

Mr. O'DONNELL. Mr. Speaker, the purpose of this bill is to bring the salaries of the row officers in Philadelphia in line with what the city council had originally passed. There was litigation on that subject, and as a result of that litigation, the court in some cases clearly indicated and in some cases implied that it was necessary for the State legislature to set those standards.

Accordingly, what we are doing with this McMonagle amendment is to make the salary of the district attorney \$1,000 less than that of a common pleas court judge, which is consistent with the practices in the other full-time district attorney counties. Thank you.

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

The following roll call was recorded:

**YEAS—176**

Alden	Fee	Livengood	Ritter
Armstrong	Fischer	Lloyd	Rocks
Arty	Fleck	Lucyk	Rybak
Belardi	Foster, W. W.	McCall	Salvatore
Belfanti	Foster, Jr., A.	McClatchy	Saurman
Beloff	Frazier	McMonagle	Serafini
Berson	Freind	McVerry	Seventy
Bittle	Fryer	Madigan	Showers
Blaum	Gallagher	Maiale	Shupnik
Borski	Gallen	Manderino	Sieminski
Bowser	Gamble	Manmiller	Sirianni
Boyes	Gannon	Marmion	Smith, B.
Brandt	George	Merry	Smith, L. E.
Burd	Gladeck	Michlovic	Spitz
Burns	Grabowski	Micozzie	Stairs
Caltagirone	Gray	Miller	Steighner
Cappabianca	Greenfield	Miscevich	Stevens
Cessar	Greenwood	Moehlmann	Stewart
Cimini	Grieco	Morris	Suban
Civera	Gruitza	Mowery	Swaim
Clark	Gruppo	Mrkonic	Sweet
Clymer	Hagarty	Mullen	Swift
Cochran	Haluska	Murphy	Taddonio
Colafella	Harper	Nahill	Taylor, E. Z.
Cole	Hasay	Noye	Taylor, F. E.
Cordisco	Hayes	O'Donnell	Tigue
Cornell	Heiser	Olasz	Trello
Coslett	Hoeffel	Oliver	Van Horne
Cowell	Honaman	Pendleton	Vroon
Cunningham	Horgos	Perzel	Wachob
DeMedio	Hutchinson, W.	Peterson	Wambach
DeWeese	Itkin	Petrarca	Wargo
Daikeler	Jackson	Petrone	Wass
Davies	Johnson	Phillips	Wenger
Dawida	Kennedy	Piccola	Weston
Deal	Klingaman	Pistella	Williams, H.
Dietz	Kolter	Pitts	Williams, J. D.
Dininni	Kowalyszyn	Pott	Wozniak
Dombrowski	Kukovich	Pucciarelli	Wright, D. R.
Donatucci	Lashingier	Punt	Wright, J. L.
Dorr	Laughlin	Rappaport	Wright, R. C.
Duffy	Lescovitz	Rasco	
Durham	Letterman	Reber	Ryan,
Evans	Levi	Rieger	Speaker
Fargo	Levin		

**NAYS—6**

Cawley	Geist	Snyder	Telek
DeVerter	Mackowski		

**NOT VOTING—12**

Anderson	Hutchinson, A.	Richardson	Wiggins
Cohen	Kanuck	Smith, E. H.	Wilson
Emerson	Pratt	Spencer	Zwilk

**EXCUSED—8**

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

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

On the question,

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

Mr. O'DONNELL offered the following amendments No. A5321:



Amend Title, page 1, line 2, by striking out "and the" and inserting a comma

Amend Title, page 1, line 2, by inserting after "sheriff" and the city controller

Amend Bill, page 1, by inserting between lines 15 and 16 Section 6. The annual salary of the city controller of Philadelphia shall be the same as that of the district attorney of Philadelphia.

Amend Sec. 6, page 1, line 16, by striking out "6" and inserting 7

Amend Sec. 7, page 2, line 10, by striking out "7" and inserting 8

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

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. O'Donnell.

Mr. O'DONNELL. Mr. Speaker, in the original version of the bill, the city controller is the only row office, and he was inadvertently left out and this amendment puts him back in at the rate equal to that of the district attorney, which is the same rate he has historically had in Philadelphia. Thank you.

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

The following roll call was recorded:

YEAS—179

Alden	Fischer	McCall	Rybak
Armstrong	Foster, W. W.	McClatchy	Salvatore
Arty	Foster, Jr., A.	McMonagle	Saurman
Belardi	Freind	McVerry	Serafini
Belfanti	Fryer	Mackowski	Seventy
Beloff	Gallagher	Madigan	Showers
Berson	Gallen	Maiale	Shupnik
Bittle	Gamble	Manderino	Sieminski
Blaum	Gannon	Manmiller	Sirianni
Borski	Geist	Merry	Smith, B.
Bowser	George	Michlovic	Smith, L. E.
Boyes	Gladeck	Micozzie	Snyder
Brandt	Grabowski	Miller	Spitz
Burd	Gray	Miscevich	Stairs
Caltagirone	Greenwood	Moehlmann	Steighner
Cappabianca	Grieco	Morris	Stevens
Cawley	Gruitza	Mowery	Stewart
Cessar	Gruppo	Mrkonie	Stuban
Cimini	Hagarty	Mullen	Swaim
Civera	Haluska	Murphy	Sweet
Clark	Harper	Nahill	Swift
Clymer	Hasay	Noye	Taddonio
Cochran	Hayes	O'Donnell	Taylor, E. Z.
Colafiglia	Hoefel	Olasz	Taylor, F. E.
Cole	Honaman	Oliver	Tigue
Cordisco	Horgos	Pendleton	Trello
Cornell	Hutchinson, A.	Perzel	Van Horne
Coslett	Hutchinson, W.	Peterson	Vroon
Cowell	Itkin	Petrarca	Wachob
DeMedio	Jackson	Petrone	Wambach
DeVerter	Johnson	Phillips	Wargo
DeWeese	Kennedy	Piccola	Wass
Daikeler	Klingaman	Pistella	Wenger
Davies	Kolter	Pitts	Weston
Dawida	Kowalyszyn	Pott	Wiggins
Deal	Kukovich	Pratt	Williams, H.
Dietz	Lashingier	Pucciarelli	Williams, J. D.
Dinianni	Laughlin	Punt	Wilson
Dombrowski	Lescovitz	Rappaport	Wozniak
Donatucci	Letterman	Rasco	Wright, D. R.
Dorr	Levi	Reber	Wright, J. I.
Duffy	Levin	Richardson	Wright, R. C.

Durham	Livengood	Rieger	
Evans	Lloyd	Ritter	Ryan,
Fargo	Lucyk	Rocks	Speaker
Fee			

NAYS—7

Burns	Fleck	Heiser	Telek
Cunningham	Frazier	Marmion	

NOT VOTING—8

Anderson	Emerson	Kanuck	Spencer
Cohen	Greenfield	Smith, E. H.	Zwikel

EXCUSED—8

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

Mr. DAVIES. Mr. Speaker, would the maker of either the bill or the amendments just answer one question of inquiry?

The SPEAKER. The gentleman, Mr. O'Donnell, stands for interrogation. The gentleman, Mr. Davies, may proceed.

Mr. DAVIES. Mr. Speaker, from this day forward with the bill as it exists with the amendments, does this remove then forever the power of this body to name those salaries, and does it place it with the responsibility of the county in assuming its home rule responsibility, or are we still saddled with that responsibility?

Mr. O'DONNELL. The bill does not affect the responsibility of the legislature in setting the salary whatsoever, and frankly, I think the legal situation is a little muddled as to who can set what salary.

Mr. DAVIES. Thank you, Mr. Speaker.

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—164

Alden	Fischer	McClatchy	Salvatore
Anderson	Fleck	McMonagle	Saurman
Armstrong	Foster, W. W.	Mackowski	Serafini
Arty	Foster, Jr., A.	Madigan	Seventy
Belfanti	Frazier	Maiale	Showers
Beloff	Freind	Manderino	Shupnik
Berson	Gallagher	Manmiller	Sieminski
Blaum	Gallen	Marmion	Sirianni
Borski	Gamble	Merry	Smith, B.
Bowser	Gannon	Michlovic	Smith, L. E.
Boyes	Geist	Micozzie	Spitz
Brandt	George	Miller	Stairs
Burd	Gladeck	Miscevich	Steighner
Caltagirone	Grabowski	Moehlmann	Stevens
Cappabianca	Gray	Morris	Stewart
Cessar	Grieco	Mowery	Stuban

Cimini	Gruitza	Mrkonic	Swaim
Civera	Gruppo	Mullen	Sweet
Clark	Hagarty	Murphy	Swift
Clymer	Haluska	Nahill	Taddonio
Cochran	Harper	Noye	Taylor, E. Z.
Colafella	Hayes	O'Donnell	Taylor, F. E.
Cole	Heiser	Olasz	Trello
Cornell	Hoefel	Oliver	Van Horne
Coslett	Honaman	Pendleton	Vroon
Cowell	Horgos	Perzel	Wachob
DeMedio	Hutchinson, A.	Peterson	Wambach
DeWeese	Hutchinson, W.	Petrarca	Wargo
Daikeler	Itkin	Petrone	Wass
Davies	Jackson	Phillips	Wenger
Dawida	Johnson	Piccola	Weston
Deal	Klingaman	Pistella	Wiggins
Dietz	Kolter	Pitts	Williams, H.
Dininni	Kowalshyn	Pratt	Williams, J. D.
Dombrowski	Kukovich	Pucciarelli	Wozniak
Donatucci	Laughlin	Punt	Wright, D. R.
Dorr	Lescovitz	Reber	Wright, J. L.
Duffy	Letterman	Rieger	Wright, R. C.
Durham	Levi	Ritter	
Evans	Levin	Rocks	Ryan,
Fargo	Lucyk	Rybak	Speaker
Fee	McCall		

NAYS—19

Belardi	DeVerter	Livengood	Snyder
Burns	Fryer	Lloyd	Telek
Cawley	Greenwood	McVerry	Tigue
Cordisco	Hasay	Pott	Wilson
Cunningham	Kennedy	Rasco	

NOT VOTING—11

Bittle	Greenfield	Rappaport	Spencer
Cohen	Kanuck	Richardson	Zwinkl
Emerson	Lashingner	Smith, E. H.	

EXCUSED—8

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

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

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

\* \* \*

The House proceeded to third consideration of **HB 1801, PN 2159**, entitled:

An Act amending the act of June 1, 1956 (1955 P. L. 1959, No. 657), referred to as the Public Official Compensation Law, increasing salaries of Philadelphia Traffic Court judges.

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

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

The question is, shall the bill pass finally?

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

YEAS—122

Alden	Evans	Levin	Rieger
Armstrong	Fischer	Lucyk	Ritter
Arty	Fleck	McCall	Rocks
Beloff	Foster, Jr., A.	McClatchy	Rybak
Berson	Frazier	McMonagle	Salvatore

Bittle	Freind	McVerry	Saurman
Borski	Gallagher	Madigan	Seventy
Boyes	Gamble	Maiale	Showers
Brandt	Gannon	Manderino	Shupnik
Burd	Geist	Manmiller	Sieminski
Caltagirone	Gladeck	Merry	Snyder
Cappabianca	Grabowski	Micozzie	Spitz
Cessar	Gray	Miller	Stairs
Cimini	Grieco	Miscevich	Swaim
Civera	Gruppo	Moehlmann	Sweet
Clark	Hagarty	Mowery	Swift
Clymer	Harper	Mullen	Taylor, E. Z.
Cochran	Hayes	Nahill	Taylor, F. E.
Colafella	Heiser	O'Donnell	Van Horne
Cole	Hoefel	Oliver	Vroon
Cornell	Horgos	Pendleton	Wambach
Coslett	Hutchinson, A.	Perzel	Weston
Daikeler	Hutchinson, W.	Petrone	Wiggins
Dawida	Itkin	Phillips	Williams, H.
Deal	Jackson	Pistella	Williams, J. D.
Dietz	Johnson	Pitts	Wozniak
Dininni	Klingaman	Pott	Wright, J. L.
Dombrowski	Kolter	Pucciarelli	Wright, R. C.
Donatucci	Kowalshyn	Punt	
Duffy	Lashingner	Rappaport	Ryan,
Durham	Laughlin	Reber	Speaker

NAYS—60

Anderson	Fee	Livengood	Serafini
Belardi	Foster, W. W.	Lloyd	Smith, B.
Belfanti	Fryer	Mackowski	Smith, L. E.
Blaum	Gallen	Marmion	Steighner
Burns	George	Michlovic	Stevens
Cawley	Greenwood	Morris	Stewart
Cordisco	Gruitza	Mrkonic	Stuban
Cowell	Haluska	Murphy	Telek
Cunningham	Hasay	Noye	Tigue
DeMedio	Honaman	Olasz	Trello
DeVerter	Kennedy	Peterson	Wachob
DeWeese	Kukovich	Petrarca	Wass
Davies	Lescovitz	Piccola	Wenger
Dorr	Letterman	Pratt	Wilson
Fargo	Levi	Rasco	Wright, D. R.

NOT VOTING—12

Bowser	Greenfield	Sirianni	Taddonio
Cohen	Kanuck	Smith, E. H.	Wargo
Emerson	Richardson	Spencer	Zwinkl

EXCUSED—8

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

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

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

REMARKS ON VOTE

The SPEAKER. The Chair recognizes the gentleman from Lawrence, Mr. Pratt.

Mr. PRATT. Mr. Speaker, on amendment A5041 to HB 1283, I would like to have my vote recorded in the affirmative. Thank you.

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

**BILLS ON THIRD CONSIDERATION CONTINUED**

The House proceeded to third consideration of **HB 1739, PN 2350**, entitled:

An Act amending the "Banking Code of 1965," approved November 30, 1965 (P. L. 847, No. 356), further providing for investment in fixed assets, purchase of acceptances, competing regulated lenders, deposits in savings banks, \*\*\* placing restrictions against a trust company holding its own stock; permitting a restricted number of trustees of a savings bank to serve as directors of trust companies; deleting certain restrictions on loans; and permitting conversion of mutual savings banks into stock savings banks.

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

**BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. HAYES. Mr. Speaker, I move that HB 1739 be placed upon the table.

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

The SPEAKER. On page 14 of today's calendar, without objection, HB 1599 will be passed over. The Chair hears no objection.

**PARLIAMENTARY INQUIRY**

The SPEAKER. For what purpose does the gentleman from Greene, Mr. DeWeese, rise?

Mr. DeWEESE. A point of parliamentary inquiry.

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

Mr. DeWEESE. HB 1599 was passed over. Does that mean we will not be dealing with that measure until after we come back from the holidays?

The SPEAKER. It means we will not be dealing with that measure today.

Mr. DeWEESE. I would like to voice an objection, sir.

The SPEAKER. The gentleman's objection is noted.

**REPORT OF COMMITTEE OF CONFERENCE CONSIDERED**

Mr. HAYES called up for consideration the following Report of the Committee of Conference on **HB 33, PN 2626**, entitled:

An Act amending the "Public School Code of 1949," approved March 10, 1949 (P. L. 30, No. 14), authorizing taxation for the purpose of paying interest and principal on certain indebtedness; further providing for reopening of district budgets; increasing the amount of work of any nature which can be performed on property owned by any school district without advertising and without competitive bids; further providing for contracts; providing for professional employes when programs or classes are transferred; providing for quarterly budget reports in

school districts of the first class; and further providing for personal income valuation information.

On the question,  
Will the House adopt the report of the committee of conference?

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

**YEAS—171**

Alden	Fischer	McClatchy	Rybak
Armstrong	Fleck	McMonagle	Salvatore
Arty	Foster, W. W.	McVerry	Saurman
Belardi	Foster, Jr., A.	Mackowski	Serafini
Belfanti	Frazier	Madigan	Seventy
Beloff	Freind	Maiale	Shupnik
Berson	Gallagher	Manderino	Sieminski
Bittle	Gannon	Manmiller	Sirianni
Blaum	Geist	Marmion	Smith, B.
Borski	George	Merry	Smith, L. E.
Bowser	Gladeck	Michlovic	Snyder
Boyes	Grabowski	Micozzie	Spitz
Brandt	Gray	Miller	Stairs
Burd	Greenwood	Miscevich	Steighner
Burns	Grieco	Moehlmann	Stevens
Caltagirone	Gruppo	Morris	Stewart
Cappabianca	Hagarty	Mowery	Stuban
Cawley	Harper	Mrkonic	Swaim
Cessar	Hasay	Mullen	Sweet
Cimini	Hayes	Murphy	Swift
Civera	Heiser	Nahill	Taddonio
Clark	Hoeffel	Noye	Taylor, E. Z.
Clymer	Honaman	O'Donnell	Telek
Cochran	Horgos	Olasz	Tigue
Colafella	Hutchinson, A.	Oliver	Trello
Cole	Hutchinson, W.	Pendleton	Van Horne
Cordisco	Itkin	Perzel	Vroon
Coslett	Jackson	Peterson	Wachob
Cowell	Johnson	Petrarca	Wambach
DeMedio	Kennedy	Petrone	Wargo
DeVerter	Klingaman	Phillips	Wass
Daikeler	Kolter	Piccola	Wenger
Davies	Kowalyshyn	Pistella	Weston
Dawida	Kukovich	Pitts	Williams, H.
Dietz	Lashinger	Pratt	Williams, J. D.
Diminni	Laughlin	Pucciarelli	Wilson
Dombrowski	Lescovitz	Punt	Wozniak
Donatucci	Letterman	Rappaport	Wright, D. R.
Dorr	Levi	Rasco	Wright, J. L.
Duffy	Levin	Reber	Wright, R. C.
Durham	Livengood	Rieger	
Evans	Lucyk	Ritter	Ryan,
Fargo	McCall	Rocks	Speaker
Fee			

**NAYS—10**

Cornell	Gamble	Lloyd	Richardson
Deal	Gruitza	Pott	Showers
Fryer	Haluska		

**NOT VOTING—13**

Anderson	Emerson	Kanuck	Taylor, F. E.
Cohen	Gallen	Smith, E. H.	Wiggins
Cunningham	Greenfield	Spencer	Zwilk
DeWeese			

**EXCUSED—8**

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

**REPORT OF COMMITTEE  
OF CONFERENCE CONSIDERED**

Mr. DeVERTER called up for consideration the following Report of the Committee of Conference on **HB 428, PN 2683**, entitled:

An Act amending the act of June 1, 1956 (1955 P. L. 1944, No. 655), referred to as the Liquid Fuels Tax Municipal Allocation Law, further providing for the use of the tax proceeds by making certain repeals.

On the question,

Will the House adopt the report of the committee of conference?

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

**YEAS—179**

Alden	Fee	Lloyd	Rocks
Anderson	Fischer	Lucyk	Rybak
Armstrong	Fleck	McCall	Salvatore
Arty	Foster, W. W.	McClatchy	Saurman
Belardi	Foster, Jr., A.	McMonagle	Serafini
Belfanti	Frazier	McVerry	Seventy
Beloff	Freind	Mackowski	Showers
Bittle	Fryer	Madigan	Shupnik
Blaum	Gallen	Maiale	Sieminski
Borski	Gamble	Manderino	Smith, B.
Bowser	Gannon	Manmiller	Smith, L. E.
Boyes	Geist	Marmion	Snyder
Brandt	George	Merry	Spitz
Burd	Gladeck	Michlovic	Stairs
Burns	Grabowski	Micozzie	Steighner
Caltagirone	Gray	Miller	Stevens
Cappabianca	Greenwood	Miscevich	Stewart
Cawley	Grieco	Moehlmann	Stuban
Cessar	Gruitza	Mowery	Swaim
Cimini	Gruppo	Mrkonic	Sweet
Civera	Hagarty	Murphy	Swift
Clark	Haluska	Nahill	Taddonio
Clymer	Harper	Noye	Taylor, E. Z.
Cochran	Hasay	O'Donnell	Taylor, F. E.
Colafula	Hayes	Olasz	Telek
Cole	Heiser	Oliver	Tigue
Cordisco	Hoeffel	Pendleton	Trello
Cornell	Honaman	Perzel	Van Horne
Coslett	Horgos	Peterson	Vroon
Cowell	Hutchinson, A.	Petrarca	Wachob
DeMedio	Hutchinson, W.	Petrone	Wambach
DeVerter	Itkin	Phillips	Wargo
DeWeese	Jackson	Piccola	Wass
Daikeler	Johnson	Pistella	Wenger
Davies	Kennedy	Pitts	Weston
Dawida	Klingaman	Pott	Williams, H.
Deal	Kolter	Pratt	Williams, J. D.
Dietz	Kowalshyn	Pucciarelli	Wilson
Dininni	Kukovich	Punt	Wozniak
Dombrowski	Lashingier	Rappaport	Wright, D. R.
Donatucci	Laughlin	Rasco	Wright, J. L.
Dorr	Lescovitz	Reber	Wright, R. C.
Duffy	Levi	Richardson	
Durham	Levin	Rieger	Ryan,
Evans	Livengood	Ritter	Speaker
Fargo			

**NAYS—0**

**NOT VOTING—15**

Berson	Gallagher	Morris	Spencer
Cohen	Greenfield	Mullen	Wiggins
Cunningham	Kanuck	Sirianni	Zwikl
Emerson	Letterman	Smith, E. H.	

**EXCUSED—8**

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

**RESIGNATION OF MEMBER**

The SPEAKER. It is the information that has been given to the Chair that the letter I am about to read is the first of its kind, and I would like the members to pay attention to it. It is addressed to me, the Speaker of the House.

Dear Matt:

I hereby submit my resignation from the position of Representative in the 125th Legislative District of the House of Representatives effective upon my acceptance of the office of Justice of the Pennsylvania Supreme Court on January 4, 1982.

Very truly yours,  
William D. Hutchinson

It is the understanding of the Chair that no member of this House heretofore has gone from the House directly to the Supreme Court, and I think— Oh, I am about to be corrected, perhaps, by the gentleman, Mr. Trello, who does not have the good sense to keep quiet and tell me this off the record. No objection having been raised, my earlier statement stands. In any event, if Mr. Trello did perchance find someone way back in the annals of history who did this, we congratulate that person, too, but in my time, which encompasses almost ancient history, this is the first for our House. It is something that I am proud of. It is something that each of the members of the House, I am sure, is equally proud of, that one of our members is making a lateral movement to the Supreme Court.

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

Will the gentleman, Mr. Hutchinson, come to the rostrum?

Mr. W. D. HUTCHINSON. Mr. Speaker, ladies and gentlemen of the House, what I have learned and what has brought me to the office that I will take on January 4, 1982, and what will hold me in good stead in that office is what you and your predecessors with whom I have served have taught me in the 9 years that I am here. Those things include a certain sense of humility, a sense that not every idea that I have is right, that there are diverse views, that this is a diverse Commonwealth, and that substantially and to a great extent, it is governed and guided by honorable, decent, hard-working men and women who have the best interest of this Commonwealth at heart whatever their differences of opinion, be they personal, conscience, or partisan, may be.

As I left the floor of the House last night and spent what may be my last of many nights in Harrisburg with the members of this House, I felt a feeling of sadness as well as a feeling of accomplishment. I have loved being in this House. It has been one of the great experiences of my life. I am happy to have served with you, all of you. I could not have been elected to the Supreme Court of Pennsylvania without your help. I thank you. I will make every effort to honor you and the confidence you have placed in me, and I will miss you. I will miss you deeply. I will miss the heat, the hurly-burly, and the pleasures of this House. I will do my best, as I have done here.

I am proud to have been a member of the House of Representatives of the Commonwealth of Pennsylvania, the people's house. I hope I have contributed. I know that I have not contributed in anything like the measure that you have contributed to me. I thank you. And, Mr. Speaker, I particularly thank you for your friendship over these years and all your help and guidance, and the prior Speakers each and every one. Thank you very much.

**CALENDAR CONTINUED**

**BILL PASSED OVER TEMPORARILY**

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, let us pass over HB 720 temporarily and continue with those bills which have already been caucused on commencing on page 16.

The SPEAKER. Without objection, HB 720 will be passed over temporarily. The Chair hears no objection.

**SENATE MESSAGE**

**SENATE ADOPTS REPORT OF COMMITTEE OF CONFERENCE**

The clerk of the Senate, being introduced, informed that the Senate has adopted the Report of the Committee of Conference on the subject of the differences existing between the two Houses on SB 532, PN 1520.

**REPORT OF COMMITTEE OF CONFERENCE CONSIDERED**

Mr. HAYES called up for consideration the following Report of the Committee of Conference on SB 532, PN 1520, entitled:

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for confidential communications to counselors of sexual assault victims.

On the question,

Will the House adopt the report of the committee of conference?

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

**YEAS—184**

Alden	Fee	Lloyd	Ritter
Anderson	Fischer	Lucyk	Rocks
Armstrong	Fleck	McCall	Rybak
Arty	Foster, W. W.	McClatchy	Salvatore
Belardi	Foster, Jr., A.	McMonagle	Saurman
Belfanti	Frazier	McVerry	Serafini
Beloff	Freind	Mackowski	Seventy
Bittle	Fryer	Madigan	Showers
Blaum	Gallagher	Maiale	Shupnik
Borski	Gallen	Manderino	Sieminski
Bowser	Gamble	Manmiller	Smith, B.
Boyes	Gannon	Marmion	Smith, L. E.
Brandt	Geist	Merry	Snyder
Burd	George	Michlovic	Spitz
Burns	Gladeck	Micozzie	Stairs
Caltagirone	Grabowski	Miller	Steighner
Cappabianca	Gray	Miscevich	Stewart
Cawley	Greenwood	Moehlmann	Suban
Cessar	Grieco	Morris	Swaim
Cimini	Gruitza	Mowery	Sweet
Civera	Gruppo	Mrkonc	Swift
Clark	Hagarty	Mullen	Taddonio
Clymer	Haluska	Murphy	Taylor, E. Z.
Cochran	Harper	Nahill	Taylor, F. E.
Colafella	Hasay	Noye	Telek
Cole	Hayes	O'Donnell	Tigue
Cordisco	Heiser	Olasz	Trello
Cornell	Hoefel	Oliver	Van Horne
Coslett	Honaman	Pendleton	Vroon
Cowell	Horgos	Perzel	Wachob
Cunningham	Hutchinson, A.	Peterson	Wambach
DeMedio	Hutchinson, W.	Petrarca	Wargo
DeVerter	Itkin	Petrone	Wass
DeWeese	Jackson	Phillips	Wenger
Daikeler	Johnson	Piccola	Weston
Davies	Kennedy	Pistella	Wiggins
Dawida	Klingaman	Pitts	Williams, H.
Deal	Kolter	Pott	Williams, J. D.
Dietz	Kowalshyn	Pratt	Wilson
Dininni	Kukovich	Pucciarelli	Wozniak
Dombrowski	Lashinger	Punt	Wright, D. R.
Donatucci	Laughlin	Rappaport	Wright, J. L.
Dorr	Lescovitz	Rasco	Wright, R. C.
Duffy	Letterman	Reber	
Durham	Levi	Richardson	Ryan,
Evans	Levin	Rieger	Speaker
Fargo	Livengood		

**NAYS—0**

**NOT VOTING—10**

Berson	Greenfield	Smith, E. H.	Stevens
Cohen	Kanuck	Spencer	Zwilk
Emerson	Sirianni		

**EXCUSED—8**

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

**MEMBER'S PRESENCE RECORDED**

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Zwilk, who asks that his name be added to the master roll call.

RESOLUTION ADOPTED

Mr. HASAY called up HR 122, PN 2557, entitled:

House memorializes President and Congress repeal section 381.31 of the Domestic Mail Manual.

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—182

Alden	Fischer	Lucyk	Salvatore
Anderson	Fleck	McCall	Saurman
Armstrong	Foster, W. W.	McClatchy	Serafini
Arty	Foster, Jr., A.	McMonagle	Seventy
Belardi	Frazier	McVerry	Showers
Belfanti	Freind	Mackowski	Shupnik
Bittle	Fryer	Madigan	Sieminski
Blaum	Gallagher	Maiale	Sirianni
Borski	Gallen	Manderino	Smith, B.
Boyes	Gannon	Manmiller	Smith, L. E.
Brandt	Geist	Marmion	Snyder
Burd	George	Merry	Spitz
Burns	Gladeck	Michlovic	Stairs
Caltagirone	Grabowski	Micozzie	Steighner
Cappabianca	Gray	Miller	Stevens
Cawley	Greenwood	Miscevich	Stewart
Cessar	Grieco	Moehlmann	Stuban
Cimini	Gruitza	Morris	Swaim
Civera	Gruppo	Mowery	Sweet
Clark	Hagarty	Mullen	Swift
Clymer	Haluska	Murphy	Taddonio
Cochran	Harper	Nahill	Taylor, E. Z.
Colafella	Hasay	Noye	Taylor, F. E.
Cole	Hayes	O'Donnell	Telek
Cordisco	Heiser	Olasz	Tigue
Cornell	Hoeffel	Oliver	Trello
Coslett	Honaman	Pendleton	Van Horne
Cowell	Horgos	Perzel	Vroon
Cunningham	Hutchinson, A.	Peterson	Wachob
DeMedio	Hutchinson, W.	Petrarca	Wambach
DeVerter	Itkin	Petrone	Wargo
DeWeese	Jackson	Phillips	Wass
Daikeler	Johnson	Piccola	Wenger
Davies	Kennedy	Pitts	Weston
Dawida	Klingaman	Pott	Wiggins
Deal	Kolter	Pratt	Williams, H.
Dietz	Kowalyszyn	Pucciarelli	Williams, J. D.
Dininni	Kukovich	Punt	Wilson
Dombrowski	Lashinger	Rappaport	Wozniak
Donatucci	Laughlin	Rasco	Wright, D. R.
Dorr	Lescovitz	Reber	Wright, J. L.
Duffy	Letterman	Richardson	Wright, R. C.
Durham	Levi	Rieger	Zwikl
Evans	Levin	Ritter	
Fargo	Livengood	Rocks	Ryan,
Fee	Lloyd	Rybak	Speaker

NAYS—0

NOT VOTING—12

Beloff	Cohen	Greenfield	Pistella
Berson	Emerson	Kanuck	Smith, E. H.
Bowser	Gamble	Mrkoncic	Spencer

EXCUSED—8

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

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

REMARKS ON VOTES

The SPEAKER. For what purpose does the gentleman from Chester, Mr. Morris, rise?

Mr. MORRIS. On HB 428, the conference report, the votes of Mr. Letterman and myself are not recorded. We would like to be recorded in the affirmative, please.

The SPEAKER. The remarks of both gentlemen will be spread upon the record.

RESOLUTION ADOPTED

Mr. HAYES called up SR 219, PN 2558, entitled:

Memorializing Congress appropriate \$30,000,000 from Abandoned Mine Reclamation Fund to Soil Conservation Service.

On the question,

Will the House concur in the resolution of the Senate?

The following roll call was recorded:

YEAS—184

Alden	Fischer	McCall	Rybak
Anderson	Fleck	McClatchy	Salvatore
Armstrong	Foster, W. W.	McMonagle	Saurman
Arty	Foster, Jr., A.	McVerry	Serafini
Belardi	Frazier	Mackowski	Seventy
Belfanti	Freind	Madigan	Showers
Berson	Fryer	Maiale	Shupnik
Bittle	Gallagher	Manderino	Sieminski
Blaum	Gallen	Manmiller	Sirianni
Borski	Gamble	Marmion	Smith, B.
Bowser	Gannon	Merry	Smith, L. E.
Boyes	Geist	Michlovic	Snyder
Brandt	George	Micozzie	Spitz
Burd	Gladeck	Miller	Stairs
Burns	Grabowski	Miscevich	Steighner
Caltagirone	Gray	Moehlmann	Stevens
Cappabianca	Greenwood	Morris	Stewart
Cawley	Grieco	Mowery	Stuban
Cessar	Gruitza	Mrkoncic	Swaim
Cimini	Gruppo	Mullen	Swift
Civera	Hagarty	Murphy	Taddonio
Clark	Haluska	Nahill	Taylor, E. Z.
Clymer	Harper	Noye	Taylor, F. E.
Cochran	Hasay	O'Donnell	Telek
Colafella	Hayes	Olasz	Tigue
Cole	Heiser	Oliver	Trello
Cordisco	Hoeffel	Pendleton	Van Horne
Cornell	Honaman	Perzel	Vroon
Coslett	Horgos	Peterson	Wachob
Cowell	Hutchinson, A.	Petrarca	Wambach
Cunningham	Hutchinson, W.	Petrone	Wargo
DeMedio	Itkin	Phillips	Wass
DeVerter	Jackson	Piccola	Wenger
DeWeese	Johnson	Pistella	Weston
Daikeler	Kennedy	Pitts	Wiggins
Davies	Klingaman	Pott	Williams, H.
Dawida	Kolter	Pratt	Williams, J. D.
Deal	Kowalyszyn	Pucciarelli	Wilson
Dietz	Kukovich	Punt	Wozniak
Dininni	Lashinger	Rappaport	Wright, D. R.
Donatucci	Laughlin	Rasco	Wright, J. L.
Dorr	Lescovitz	Reber	Wright, R. C.
Duffy	Letterman	Richardson	Zwikl
Durham	Levi	Rieger	
Evans	Levin	Ritter	Ryan,
Fargo	Livengood	Rocks	Speaker
Fee	Lloyd		

NAYS—1

Lucyk

NOT VOTING—9

Beloff	Emerson	Kanuck	Spencer
Cohen	Greenfield	Smith, E. H.	Sweet
Dombrowski			

EXCUSED—8

Barber	Irviss	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

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

Ordered, That the clerk inform the Senate accordingly.

**AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED**

The clerk of the Senate, being introduced, returned the following **HB 305, PN 2556**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act creating the High Speed Intercity Rail Passenger Commission, providing for its powers and duties and making an appropriation.

On the question,  
Will the House concur in Senate amendments?

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

Mr. GEIST. Mr. Speaker, I suggest that the House do concur in the amendments inserted by the Senate.

On the question recurring,  
Will the House concur in Senate amendments?

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

YEAS—184

Alden	Fleck	McCall	Salvatore
Anderson	Foster, W. W.	McClatchy	Saurman
Armstrong	Foster, Jr., A.	McMonagle	Serafini
Arty	Frazier	McVerry	Seventy
Belardi	Freind	Mackowski	Showers
Belfanti	Fryer	Madigan	Shupnik
Berson	Gallagher	Maiale	Sieminski
Bittle	Gallen	Manderino	Sirianni
Blaum	Gamble	Manmiller	Smith, B.
Borski	Gannon	Marmion	Smith, L. E.
Brandt	Geist	Merry	Snyder
Burd	George	Michlovic	Spitz
Burns	Gladeck	Micozzie	Stairs
Caltagirone	Grabowski	Miller	Steighner
Cappabianca	Gray	Miscevich	Stevens
Cawley	Greenwood	Moehlmann	Stewart
Cessar	Grieco	Morris	Stuban
Cimini	Gruitza	Mowery	Swaim
Civera	Gruppo	Mrkonjic	Sweet
Clark	Hagarty	Mullen	Swift
Clymer	Haluska	Murphy	Taddonio
Cochran	Harper	Nahill	Taylor, E. Z.
Colafella	Hasay	Noye	Taylor, F. E.
Cole	Hayes	O'Donnell	Telek
Cordisco	Heiser	Olasz	Tigue
Cornell	Hoeffel	Oliver	Trello
Coslett	Honaman	Pendleton	Van Horne
Cowell	Horgos	Perzel	Vroon
Cunningham	Hutchinson, A.	Peterson	Wachob

DeMedio	Hutchinson, W.	Petrarca	Wambach
DeVertier	Itkin	Petrone	Wargo
DeWeese	Jackson	Phillips	Wass
Daikeler	Johnson	Piccola	Wenger
Davies	Kennedy	Pistella	Weston
Dawida	Klingaman	Pitts	Wiggins
Deal	Kolter	Pott	Williams, H.
Dietz	Kowalshyn	Pratt	Williams, J. D.
Dininni	Kukovich	Pucciarelli	Wilson
Dombrowski	Lashingier	Punt	Wozniak
Donatucci	Laughlin	Rappaport	Wright, D. R.
Dorr	Lescovitz	Rasco	Wright, J. L.
Duffy	Letterman	Reber	Wright, R. C.
Durham	Levi	Rieger	Zwinkl
Evans	Levin	Ritter	
Fargo	Livengood	Rocks	Ryan,
Fee	Lloyd	Rybak	Speaker
Fischer	Lucyk		

NAYS—0

NOT VOTING—10

Beloff	Cohen	Kanuck	Smith, E. H.
Bowser	Emerson	Richardson	Spencer
Boyes	Greenfield		

EXCUSED—8

Barber	Irviss	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

**AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED**

The clerk of the Senate, being introduced, returned the following **HB 453, PN 2632**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the act of May 31, 1911 (P. L. 468, No. 193), referred to as the State Highway Department Law, deleting provisions authorizing payments to suppliers prior to delivery of fabricated steel and prestressed beams.

On the question,  
Will the House concur in Senate amendments?

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

Mr. DININNI. Mr. Speaker, I suggest that the House do concur in the amendments inserted by the Senate.

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

Mr. RITTER. Mr. Speaker, could we have a brief explanation of what the Senate amendments do? This one, I understand, is a technical amendment, but the last bill had some rather comprehensive amendments by the Senate. I wonder if we could at least have an explanation of what they are.

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

Mr. DAVIES. Mr. Speaker, in the absence of Mr. Dininni, as I understand it, we have the understanding that these are just merely technical amendments to the bill.

On the question recurring,  
Will the House concur in Senate amendments?

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

YEAS—185

Alden	Fee	Lloyd	Rocks
Anderson	Fischer	Lucyk	Rybak
Armstrong	Fleck	McCall	Salvatore
Arty	Foster, W. W.	McClatchy	Saurman
Belardi	Foster, Jr., A.	McMonagle	Serafini
Belfanti	Frazier	McVerry	Seventy
Berson	Freind	Mackowski	Showers
Bittle	Fryer	Madigan	Shupnik
Blaum	Gallagher	Maiale	Sieminski
Borski	Gallen	Manderino	Sirianni
Bowser	Gamble	Manmiller	Smith, B.
Boyes	Gannon	Marmion	Smith, L. E.
Brandt	Geist	Merry	Snyder
Burd	George	Michlovic	Stairs
Burns	Gladeck	Micozzie	Steighner
Caltagirone	Grabowski	Miller	Stevens
Cappabianca	Gray	Miscevich	Stewart
Cawley	Greenwood	Moehlmann	Stuban
Cessar	Grieco	Morris	Swaim
Cimini	Gruitza	Mowery	Sweet
Civera	Gruppo	Mrkonic	Swift
Clark	Hagarty	Mullen	Taddonio
Clymer	Haluska	Murphy	Taylor, E. Z.
Cochran	Harper	Nahill	Telek
Colafella	Hasay	Noye	Tigue
Cole	Hayes	O'Donnell	Trello
Cordisco	Heiser	Olasz	Van Horne
Cornell	Hoefel	Oliver	Vroon
Coslett	Honaman	Pendleton	Wachob
Cowell	Horgos	Perzel	Wambach
Cunningham	Hutchinson, A.	Peterson	Wargo
DeMedio	Hutchinson, W.	Petrarca	Wass
DeVerter	Itkin	Petrone	Wenger
DeWeese	Jackson	Phillips	Weston
Daikeler	Johnson	Piccola	Wiggins
Davies	Kennedy	Pistella	Williams, H.
Dawida	Klingaman	Pitts	Williams, J. D.
Deal	Kolter	Pott	Wilson
Dietz	Kowalyszyn	Pratt	Wozniak
Dininni	Kukovich	Pucciarelli	Wright, D. R.
Dombrowski	Lashingier	Punt	Wright, J. L.
Donatucci	Laughlin	Rappaport	Wright, R. C.
Dorr	Lescovitz	Rasco	Zwikl
Duffy	Letterman	Reber	
Durham	Levi	Richardson	Ryan,
Evans	Levin	Rieger	Speaker
Fargo	Livengood	Ritter	

NAYS—0

NOT VOTING—9

Beloff	Greenfield	Smith, E. H.	Spitz
Cohen	Kanuck	Spencer	Taylor, F. E.
Emerson			

EXCUSED—8

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The clerk of the Senate, being introduced, returned the following **HB 696, PN 2511**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for summary criminal contempt proceedings for persons who willfully fail to comply with lawful support orders.

On the question,  
Will the House concur in Senate amendments?

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

Mr. DORR. Mr. Speaker, I suggest that the House nonconcur in the amendments inserted by the Senate.

Mr. Speaker, the Senate apparently struck out a provision in the bill— Mr. Speaker, could the House be at ease for just a minute, please?

The SPEAKER. The House will be temporarily at ease.

MEMBER'S PRESENCE RECORDED

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Kanuck, who asks that his name be added to the master roll call.

CONSIDERATION OF HB 696 CONTINUED

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

Mr. DORR. I am going to ask that the House indulge me, and I am going to reverse my prior statement. I would prefer that the House concur in the amendment of the Senate, which simply strikes out a definitive sentence and leaves it up to the Crimes Code, which I understand does include the possibility of a prison sentence.

The SPEAKER. The gentleman, Mr. Dorr, suggests concurrence in the amendments offered by the Senate.

On the question recurring,  
Will the House concur in Senate amendments?

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

YEAS—188

Alden	Fee	Lloyd	Rocks
Anderson	Fischer	Lucyk	Rybak
Armstrong	Fleck	McCall	Salvatore
Arty	Foster, W. W.	McClatchy	Saurman
Belardi	Foster, Jr., A.	McMonagle	Serafini
Belfanti	Frazier	McVerry	Seventy
Beloff	Freind	Mackowski	Showers
Berson	Fryer	Madigan	Shupnik
Bittle	Gallagher	Maiale	Sieminski
Blaum	Gallen	Manderino	Sirianni
Borski	Gamble	Manmiller	Smith, B.
Bowser	Gannon	Marmion	Smith, L. E.
Boyes	Geist	Merry	Snyder
Brandt	George	Michlovic	Spitz
Burd	Gladeck	Micozzie	Stairs
Burns	Grabowski	Miller	Steighner



Caltagirone	Gray	Miscevich	Stevens
Cappabianca	Greenwood	Mochlmann	Stewart
Cawley	Grieco	Morris	Stuban
Cessar	Gruitza	Mowery	Swaim
Cimini	Gruppo	Mrkonc	Sweet
Civera	Hagarty	Mullen	Swift
Clark	Haluska	Murphy	Taddonio
Clymer	Harper	Nahill	Taylor, E. Z.
Cochran	Hasay	Noye	Taylor, F. E.
Colafella	Hayes	O'Donnell	Telek
Cole	Heiser	Olasz	Tigue
Cordisco	Hoefel	Oliver	Trello
Cornell	Honaman	Pendleton	Van Horne
Coslett	Horgos	Perzel	Vroon
Cowell	Hutchinson, A.	Peterson	Wambach
Cunningham	Hutchinson, W.	Petrarca	Wargo
DeMedio	Itkin	Petrone	Wass
DeVerter	Jackson	Phillips	Wenger
DeWeese	Johnson	Piccola	Weston
Daikeler	Kanuck	Pistella	Wiggins
Davies	Kennedy	Pitts	Williams, H.
Dawida	Klingaman	Pott	Williams, J. D.
Deal	Kolter	Pratt	Wilson
Dietz	Kowalshyn	Pucciarelli	Wozniak
Dininni	Kukovich	Punt	Wright, D. R.
Dombrowski	Lashinger	Rappaport	Wright, J. L.
Donatucci	Laughlin	Rasco	Wright, R. C.
Dorr	Lescovitz	Reber	Zwinkl
Duffy	Letterman	Richardson	
Durham	Levi	Rieger	Ryan,
Evans	Levin	Ritter	Speaker
Fargo	Livengood		

NAYS—0

NOT VOTING—6

Cohen	Greenfield	Spencer	Wachob
Emerson	Smith, E. H.		

EXCUSED—8

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

**AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED**

The clerk of the Senate, being introduced, returned the following **HB 904, PN 2641**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the "Industrialized Housing Act," approved May 11, 1972 (P. L. 286, No. 70), establishing the Industrialized Housing Account in the State Treasury; further providing for the disposition of fees and making an appropriation.

On the question,  
Will the House concur in Senate amendments?

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

Mr. GALLEN. Mr. Speaker, I suggest that the House concur in the amendments inserted by the Senate.

On the question recurring,

Will the House concur in Senate amendments?  
The SPEAKER. Agreeable to the provisions of the Constitution, the yeas and nays will now be taken.

YEAS—184

Alden	Fischer	Lucyk	Salvatore
Anderson	Fleck	McCall	Saurman
Armstrong	Foster, W. W.	McClatchy	Serafini
Arty	Foster, Jr., A.	McMonagle	Seventy
Belardi	Frazier	McVerry	Showers
Belfanti	Freind	Mackowski	Shupnik
Berson	Fryer	Madigan	Sieminski
Bittle	Gallagher	Maiale	Sirianni
Blaum	Gallen	Manmiller	Smith, B.
Borski	Gamble	Marmion	Smith, L. E.
Bowser	Gannon	Merry	Snyder
Boyes	Geist	Michlovic	Spitz
Brandt	George	Micozzie	Stairs
Burd	Gladeck	Millera	Steighner
Burns	Grabowski	Miscevich	Stevens
Caltagirone	Gray	Moehlmann	Stewart
Cappabianca	Greenwood	Morris	Stuban
Cawley	Grieco	Mowery	Swaim
Cessar	Gruitza	Mrkonc	Sweet
Cimini	Gruppo	Mullen	Swift
Civera	Hagarty	Murphy	Taddonio
Clark	Haluska	Nahill	Taylor, E. Z.
Clymer	Harper	Noye	Taylor, F. E.
Cochran	Hasay	O'Donnell	Telek
Colafella	Hayes	Olasz	Tigue
Cordisco	Heiser	Oliver	Trello
Cornell	Hoefel	Pendleton	Van Horne
Coslett	Honaman	Perzel	Vroon
Cowell	Horgos	Peterson	Wachob
Cunningham	Hutchinson, A.	Petrarca	Wambach
DeMedio	Hutchinson, W.	Petrone	Wargo
DeVerter	Itkin	Phillips	Wass
DeWeese	Jackson	Piccola	Wenger
Daikeler	Johnson	Pistella	Weston
Davies	Kanuck	Pott	Wiggins
Dawida	Kennedy	Pratt	Williams, H.
Deal	Klingaman	Pucciarelli	Williams, J. D.
Dietz	Kolter	Punt	Wilson
Dininni	Kowalshyn	Rappaport	Wozniak
Dombrowski	Lashinger	Rasco	Wright, D. R.
Donatucci	Laughlin	Reber	Wright, J. L.
Dorr	Lescovitz	Richardson	Wright, R. C.
Duffy	Letterman	Rieger	Zwinkl
Durham	Levi	Ritter	
Evans	Levin	Rocks	Ryan,
Fargo	Livengood	Rybak	Speaker
Fee	Lloyd		

NAYS—0

NOT VOTING—10

Beloff	Emerson	Manderino	Smith, E. H.
Cohen	Greenfield	Pitts	Spencer
Cole	Kukovich		

EXCUSED—8

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

### REQUEST FOR RECESS AND RULES COMMITTEE MEETING

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Mr. Speaker, I believe that we should recess the House at this time for the purpose of taking lunch and caucusing on HB 720. I believe that both these things can be accomplished so this House can return to the floor at 1:30 p.m. this afternoon.

I would like to call a meeting of the Rules Committee in my office at the declaration of the recess. Thank you, Mr. Speaker.

### DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. O'Donnell.

Mr. O'DONNELL. Mr. Speaker, we will have a Democratic caucus immediately on the recess, and I do mean immediately, so we can get done before lunchtime, and then we will be back here at 1:30. The most important item on that agenda, of course, is the welfare bill. Thank you.

### REPUBLICAN CAUCUS

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

Mr. NOYE. Thank you, Mr. Speaker.

The Republicans will caucus immediately on HB 720.

### CONSUMER AFFAIRS COMMITTEE MEETING

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

Mr. TADDONIO. Mr. Speaker, the meeting of the Consumer Affairs Committee that was recessed will be continued immediately on the call of the recess in room 245. It will be a very brief meeting for those who expect to get to the caucuses.

### REMARKS ON VOTES

The SPEAKER. Does the gentleman, Mr. Manderino, seek recognition?

Mr. MANDERINO. Mr. Speaker, on the last vote that was taken, HB 904, I was away from my desk. Had I been at my desk, I would have voted in the affirmative.

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

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

Mr. KUKOVICH. Mr. Speaker, I, too, was away from my desk on that vote, and I would like to be recorded in the affirmative on HB 904.

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

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

Mr. ZWIKL. Mr. Speaker, I was not recorded on a number of votes earlier this morning. I wish the record to reflect had I been in my seat, I would have voted "yes" on HB 1322; "yes" on HB 1283; "yes" on HB 1801; and "yes" on the following conference reports: HB 33, HB 428, and SB 532.

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

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

Mr. FISCHER. Mr. Speaker, my votes on HB 1283, PN 2406, and HB 1801, PN 2159, were not recorded properly. It should be "no" for both bills.

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

### SENATE MESSAGE

#### HOUSE BILLS

#### CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1333, PN 2241; HB 1623, PN 1902; HB 1624, PN 2296; HB 1625, PN 1904; HB 1626, PN 1905; HB 1628, PN 2297; HB 1629, PN 2298; HB 1630, PN 2299; HB 1631, PN 1910; HB 1633, PN 1912; HB 1634, PN 1913; HB 1636, PN 1915; HB 1637, PN 1916; HB 1639, PN 1918; HB 1640, PN 1919; HB 1641, PN 1920; and HB 1642, PN 1921**, with information that the Senate has passed the same without amendment.

### SENATE MESSAGE

#### AMENDED HOUSE BILLS

#### RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 1638, PN 2677; and HB 1699, PN 2678**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. The bills will appear on the calendar.

### SENATE MESSAGE

#### HOUSE-AMENDED SENATE

#### BILLS CONCURRED IN

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SB 108, PN 1457; and SB 742, PN 1535**.

### BILLS SIGNED BY SPEAKER

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

**HB 305, PN 2556**

An Act creating the High Speed Intercity Rail Passenger Commission, providing for its powers and duties and making an appropriation.

**HB 453, PN 2632**

An Act amending the act of May 31, 1911 (P. L. 468, No. 193), referred to as the State Highway Department Law, deleting provisions authorizing payments to suppliers prior to delivery of fabricated steel and prestressed beams.

**HB 696, PN 2511**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for summary criminal contempt proceedings for persons who willfully fail to comply with lawful support orders.

**HB 904, PN 2641**

An Act amending the "Industrialized Housing Act," approved May 11, 1972 (P. L. 286, No. 70), establishing the Industrialized Housing Account in the State Treasury; further providing for the disposition of fees and making an appropriation.

**SB 361, PN 1018**

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

**SB 618, PN 1534**

An Act providing for the reduction of General Fund Appropriations for the fiscal year 1981-1982; and directing the Governor to take appropriate action to balance the budget.

**SB 742, PN 1535**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, regulating abortions and further providing that certain competition between individuals and the promotion of such competition be unlawful and providing penalties.

**RECESS**

The SPEAKER. Without objection, this House stands 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.

**CHORISTERS INTRODUCED**

The SPEAKER. The Chair is pleased at this time to recognize Representative Harry Bittle for the purpose of introducing our guests.

Mr. BITTLE. Ladies and gentlemen of the House, this fine group is the Chambersburg Area Senior High School Choristers, under the direction of Mr. Ferree LeFevre, an outstanding group performing a lot of concerts in our area around the Christmas time, a very heavy Christmas schedule. They performed at noontime in the rotunda and went from there to the Education Building and performed, and although we have a busy day, I asked the Speaker if we could take time out for several numbers from the group. My own son, Tim Bittle, is an outstanding member of this group.

For your pleasure, the Chambersburg Area Senior High School Choristers.

(A musical program was presented.)

**QUESTION OF PERSONAL PRIVILEGE**

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

Mrs. HARPER. A point of personal privilege, Mr. Speaker.

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

Mrs. HARPER. Thank you.

I should like to thank the choir for that beautiful music and a little fun with Representative Davies. Representative Davies, do you see how nice they look, how classic, in their uniforms? Thank you.

The SPEAKER. Mr. Davies' comment to that was, no comment.

**SENATE MESSAGE****ADJOURNMENT RESOLUTION  
FOR CONCURRENCE**

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read as follows:

In the Senate, December 15, 1981

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Tuesday, January 5, 1982 unless sooner recalled by the President Pro Tempore, and when the House of Representatives adjourns this week it reconvene on Tuesday, January 5, 1982 unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

**SENATE MESSAGE****RESOLUTION TO RECALL SB 562**

The clerk of the Senate, being introduced, presented the following extract from the Journal of the Senate, which was read:

In the Senate, December 15, 1981

RESOLVED (the House of Representatives concurring, That Senate Bill No. 562, Printer's No. 1448, entitled "An act amending the act of May 2, 1945 (P.L. 382, No. 164), entitled 'An act providing for the incorporation as bodies corporate and politic of "Authorities" for municipalities, counties and townships; prescribing the rights, powers and duties of such Authorities heretofore or hereafter incorporated; authorizing such Authorities to acquire, construct, improve, maintain and operate projects, and to borrow money and issue bonds therefor; providing for the

payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and conferring exclusive jurisdiction on certain courts over rates, further providing for the purposes and powers of authorities," be recalled from the Governor for the purpose of further consideration.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

### SENATE MESSAGE

#### HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1175, PN 2240**, with information that the Senate has passed the same without amendment.

#### BILLS SIGNED BY SPEAKER

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

##### **HB 1175, PN 2240**

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, further providing for permissible interceptions and disclosures of certain communications.

##### **HB 1333, PN 2241**

An Act amending the "Second Class County Code," approved July 28, 1953 (P. L. 723, No. 230), further regulating contracts and purchases.

##### **HB 1623, PN 1902**

An Act amending the act of April 29, 1937 (P. L. 526, No. 118), entitled, as amended, "An act providing for and regulating joint purchases by counties (other than counties of the first class), cities of the second and third class, boroughs, towns, townships, school districts, institution districts and poor districts," increasing the amount of expenditures without bids.

##### **HB 1624, PN 2296**

An Act amending "The Third Class City Code," approved June 23, 1931 (P. L. 932, No. 317), further regulating contracts as to purchasing and advertising requirements.

##### **HB 1625, PN 1904**

An Act amending the act of March 7, 1901 (P. L. 20, No. 14), entitled "An act for the government of cities of the second class," further regulating contracts, contract procedures and advertising for bids.

##### **HB 1626, PN 1905**

An Act amending the act of July 12, 1972 (P. L. 762, No. 180), entitled "An act relating to intergovernmental cooperation," regulating joint purchases and bids on such purchases.

##### **HB 1628, PN 2297**

An Act amending "The First Class Township Code," approved June 24, 1931 (P. L. 1206, No. 331), further regulating contracts, advertisements, specifications, and bids for certain contracts.

##### **HB 1629, PN 2298**

An Act amending "The Borough Code," approved February 1, 1966 (1965 P. L. 1656, No. 581), further providing for the awarding of contracts.

##### **HB 1630, PN 2299**

An Act amending "The Second Class Township Code," approved May 1, 1933 (P. L. 103, No. 69), further regulating contracts as to advertising requirements.

##### **HB 1631, PN 1910**

An Act amending the act of May 27, 1953 (P. L. 244, No. 34), entitled "An act relating to and regulating the contracts of incorporated towns and providing penalties," further regulating contracts and further providing for advertising requirements.

##### **HB 1633, PN 1912**

An Act amending the act of November 20, 1968 (P. L. 1075, No. 329), referred to as the Public Television Network System Law, further providing for contracts.

##### **HB 1634, PN 1913**

An Act amending the act of May 1, 1913 (P. L. 155, No. 104), entitled "An act regulating the letting of certain contracts for the erection, construction, and alteration of public buildings," increasing the minimum bid requirement.

##### **HB 1636, PN 1915**

An Act amending the "Pennsylvania Urban Mass Transportation Law," approved January 22, 1968 (P. L. 42, No. 8), further providing for contracts, procurement and sale of property and competition in award of contracts.

##### **HB 1637, PN 1916**

An Act amending the "Public Auditorium Authorities Law," approved July 29, 1953 (P. L. 1034, No. 270), increasing the amount of supplies and materials which may be purchased without advertising.

##### **HB 1639, PN 1918**

An Act amending the act of August 7, 1936 (Sp. Sess., P. L. 106, No. 46), referred to as the Flood Control Law, further providing for contracts.

##### **HB 1640, PN 1919**

An Act amending the act of August 6, 1936 (Sp. Sess., P. L. 95, No. 38 1/2), entitled "An act to authorize and empower cities, boroughs, towns, and townships, separately or jointly, to provide for protection against floods by erecting and constructing certain works and improvements, located within or without their territorial limits, and within or without the county in which situate; \*\*\* and to acquire, take, injure or destroy property for such purposes," further regulating purchases and bidding on such purchases.

##### **HB 1641, PN 1920**

An Act amending the "State Public School Building Authority Act," approved July 5, 1947 (P. L. 1217, No. 498), further providing for award of contracts.

**HB 1642, PN 1921**

An Act amending the "State Highway and Bridge Authority Act," approved April 18, 1949 (P. L. 604, No. 128), further providing for award of contracts.

**CALENDAR RESUMED  
REPORT OF COMMITTEE  
OF CONFERENCE CONSIDERED**

Mr. PUNT called up for consideration the following Report of the Committee of Conference on **HB 720, PN 2670**, entitled:

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), further providing for the expedited implementation of regulations governing Federally subsidized programs; expanding the investigative powers of the department; changing and restricting the qualifications for recipients of general welfare payments, aid for dependent children; medical assistance and other forms of payments; redefining needy persons; providing for public work service projects; changing hearing procedures; further providing for eligibility for certain assistance payments; providing penalties and increasing certain fines; providing for the privacy of certain Federal assistance; and authorizing the use of certain records.

On the question,

Will the House adopt the report of the committee of conference?

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

Mr. PUNT. Mr. Speaker, the issue of welfare reform has been before this General Assembly for many years. This House of Representatives has been on record consistently with respect to this issue. We want reform because it is the right thing to do. It is the right public policy, and it is consistent with what the taxpayers are telling us must be done to restore confidence in government and confidence in our society's willingness to serve the impoverished.

The Conference Committee on HB 720 deliberated at length, and I am pleased to present to you the conference committee report. This report contains a meaningful workfare provision that takes advantage of the opportunity the Congress has passed. The bulk of the reforms that this House passed by a vote of 159 to 42 earlier this year are contained in this report.

Finally, the report contains our attempt to conform with the Federal requirements passed by the United States Congress. Mr. Speaker, I urge that this House again go on record as supporting welfare reform, and concur with the Conference Committee Report on HB 720.

The SPEAKER. The Chair recognizes the gentleman from Elk, Mr. Wachob.

Mr. WACHOB. Thank you, Mr. Speaker.

Once again the majority party in this House, Mr. Speaker, is trying to deal more with style than with substance, by not going over the some 40 pages of what they call welfare reform that we have presented before us today and Mr. Punt is asking us to concur in.

For the record, Mr. Speaker, I would like to go into a few of those areas in more detail and give my explanation of what those changes mean. In the Conference Report on HB 720, there is a provision concerning grant increases for those whom we deem to be truly needy, whoever that might be, Mr. Speaker. But there is nothing in this conference report, as it left this House, that guarantees that any of the savings will be returned to those people who still fall under the truly needy category.

Also, Mr. Speaker, the sponsor of HB 720 does not point out the provision that this House of Representatives passed as it relates to State hospital closings. In addition, Mr. Speaker, the sponsor of this bill does not point out the provision that really swung the vote in this House of Representatives last spring regarding the manner in which we dealt with strikers. Strikers now under the law will be entitled to only a 30-day general assistance cash grant.

Also, there are two separate issues here, one dealing with Federal conformity legislation and one dealing with our general assistance population. There is some question, Mr. Speaker, that the changes that the Federal Government has mandated do not have to be dealt with in legislation of this type but can be dealt with by the Secretary of Public Welfare, Mrs. O'Bannon. Therefore, Mr. Speaker, the necessity for us to rush through HB 720 for the sake of complying with Federal laws does not hold water.

Mr. Speaker, one of my final points deals with the main thrust of this proposal, the part of the legislation that Mr. Punt calls welfare reform and workfare. He said it was meaningful welfare reform and the issue should be dealt with by this legislature. I believe, Mr. Speaker, that until we deal with true welfare reform in a more compassionate way, this idea should still stay before this legislature and we should not act in haste.

The conference committee, Mr. Speaker, passed a report that for all realistic and practical purposes eliminated workfare in the State of Pennsylvania. Oh, it did not eliminate it for AFDC (aid for dependent children) mothers, those mothers and women who have children over 6 years of age. They will be forced to go out and work now for their grant. They have a workfare provision in there for those people, Mr. Speaker. But for the general assistance population, that this House passed last spring, there is no provision for workfare, unless you are foolish enough to believe that the transitionally needy person who is covered under this piece of legislation will be put into a job for a 30-day period, because that is all the person is entitled to. A transitionally needy person is only entitled to one 30-day check in a 12-month period. That is the end. So the Department of Welfare may put that person to work. That person may, in good faith, go to work every day for that 30 days and at the end of those 30 days will be put back out on the street without any assistance and without any help from the State of Pennsylvania. I believe that is a concept that flies in the face of most of the people of Pennsylvania and the feelings of most of the Representatives in this hall.

Mr. Speaker, the Democratic Caucus, and many members of the other side, realize that over the last few months, since

this legislation has been in the Senate and has been before the conference committee, the Pennsylvania economic climate has certainly not gone up. The economic conditions in Pennsylvania are worse now than they were last spring. The need for a workfare provision that puts general assistance recipients to work is more urgently needed now than it ever was before.

Mr. Speaker, currently there are some 500,000 people in Pennsylvania who are laid off through no fault of their own. Now with the passage of HB 720, we are going to add another 75,000 general assistance recipients to that already-high figure.

There are 21 counties in Pennsylvania that have double-digit inflation; not Philadelphia County, not Allegheny County, but counties in rural Pennsylvania, Mr. Speaker. There is double-digit inflation in Crawford County, in Butler and Armstrong Counties, in Blair, in Huntingdon, in Cambria, in Somerset, Bedford, and Fayette. These are not urban counties, Mr. Speaker, that the majority leader once last spring referred to as areas that promoted the wily welfare careerists who are on the rolls permanently just to drain taxpayers' dollars, but these are places where the economic conditions and the economic policies of this Thornburgh administration and the now Reagan administration are having a heavy toll and a heavy impact upon our people.

I believe, Mr. Speaker, that until the conference committee and until the members of this House come up with a more rational, more compassionate program to deal with the general assistance population, we should reject the Conference Committee Report on HB 720 and go back to the drawing board and come up with true welfare reform, and not cast these people out in the cold without any thoughts of what is going to happen to them or how they are going to fend for themselves or find their next meal. I urge a "no" vote on the conference committee report, Mr. Speaker. Thank you.

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

Mr. RAPPAPORT. Thank you, Mr. Speaker.

I, too, rise to urge defeat of this bill.

Mr. Speaker, I would draw the attention of the House to section 408.1, on page 8 of the bill. This section provides that if tenants in public housing miss their payments to the landlord, the public housing authority, then the rent is to be taken from their welfare checks. Mr. Speaker, until the recent changes in my district made by the Reapportionment Commission in its wisdom, I represented a district which had more public housing in it than any other legislative district in the State. Even with reapportionment, I still have two projects.

Mr. Speaker, there are many reasons why a tenant does not pay rent to the housing authority. I shall give only two examples. The law of this Commonwealth provides that if an apartment or a house is unfit for human habitation, then the tenant may put the rent in escrow until the necessary repairs are made. Unfortunately, Mr. Speaker, there are housing units operated by the Philadelphia Housing Authority that are unfit for human habitation, and this bill would say that the tenants have no right to take advantage of the rent escrow provisions, which are also provided for in State law.

Secondly, Mr. Speaker, the Federal act, title XLV of the United States Code, provides that two-party payments, of which this is one variety, cannot be used, and I quote, "when the family has experienced some emergency or extraordinary event for which it was appropriate for available funds to be spent."

In the last several months, housing authorities have adopted a new plan. They require the tenants to pay for heat and utilities and, to make up the difference, have seriously reduced the rents, which is proper, so they come within the 25-percent income guidelines. Even with that, Mr. Speaker, it is conceivable if there is an extremely cold winter—and we may be in one right now from the looks of things—the cost of heat and other utilities may far exceed the 25 percent of family income which is permitted to be paid in rent, in which case there would be eviction proceedings. However, under this act, if the people use the rent money to pay for the heat, then their check, their sole source of support, would be cut off. I suggest, Mr. Speaker, that this is neither right nor just.

In the third place, we are saying that we must make welfare recipients more self-sufficient. We must give them the responsibility for their own lives. That is proper, and we should. If they do not pay their rent and there is no excuse, such as an overriding family emergency, then they should be evicted, and that is the law. There is no problem with that. What this does is make the tenants captives of the housing authorities, and I suggest to this House that this accomplishes none of the goals that we have with respect to the welfare system. This is not welfare reform; this is just to make things easier for people in housing authorities who are not doing their jobs. I therefore urge a "no" vote on this conference report. Thank you, Mr. Speaker.

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

Mr. MURPHY. Mr. Speaker, will Mr. Punt rise for interrogation, please?

The SPEAKER. The gentleman indicates he will. The gentleman, Mr. Murphy, may begin.

Mr. MURPHY. Thank you.

Mr. Speaker, it seems to me that there is at least an apparent contradiction among three sections of this legislation, and I would like for you to clarify them for me.

In section 405.2 there is outlined a community work program for both chronically needy and transitionally needy individuals. In section 432 it states that transitionally needy persons who are otherwise eligible—I do not have to read it; I believe I understand what it means—that they can only remain on assistance for 1 month or receive a single grant in a 12-month period of time. Then down at the bottom of page 13, it indicates that nobody would be terminated from assistance because the department could not find them work.

Can you explain to me whether if somebody is working in a community work program for longer than a month, will they lose that category of transitionally needy and lose their general assistance, or will they be put into the general assistance category as long as they maintain that job?

Mr. PUNT. Mr. Speaker, if they are public assistance, if they are chronically needy, and if they are grandfathered into HB 720 as stated, they will remain.

Mr. MURPHY. Let us try it again, Mr. Speaker. An individual is classified as *transitionally needy*. He is accepted into a community work program. The legislation, as I read it, can be read two ways. One way is that he is in that community work program for only 1 month out of the year where he will be paid his general assistance, and the other 11 months he would not be in the program. Or you could read it another way to suggest that as long as he was in that program, he would get his GA assistance payments as long as he participated actively and regularly in the program. Now, which way are we reading this?

Mr. PUNT. Mr. Speaker, if that person is *transitionally needy*—all right?—under the grandfather clause those who are presently on, receiving general assistance right now, under this bill those who are on and termed in the *transitionally needy* category would remain on for a period of 1 year. At the end of that year—at the end of that year—those persons still remaining in the *transitionally needy* category would be eligible then for 1 month's check, cash assistance, during the next 12-month period.

Secondly, once this bill becomes law, all new applicants, individuals who apply for welfare under the general assistance program who would be classified as *transitionally needy*, they would be eligible for 1 month of cash assistance allowance. They would be eligible for all of the other programs; only just the cash assistance allowance would be for 1 month.

Mr. MURPHY. Mr. Speaker, that is true even though that individual would have participated for the preceding year in a community work program? He worked in that program, let us say for a particular municipality; the grandfather year was over; he has only then 1 month out of the next year in which he can participate in that program and receive general assistance funds. Is that what you are saying?

Mr. PUNT. He would be on for that 1-month period of time, and that person would be required to participate in a community work program.

Mr. MURPHY. So regardless of how well he did or she did in the community work program, how good it was for the person, whatever efforts the person made to find a job, they could not receive GA benefits beyond that 1 month?

Mr. PUNT. If they are able-bodied and under the age of 45, yes, sir.

Mr. MURPHY. Okay. In another section of the bill, I would like to ask, Mr. Speaker, another question concerning the section of the bill that deals with somebody who has worked for at least 5 years and who has exhausted his unemployment benefits. I happen to have been the maker of that amendment. It was my clear intent that those 5 years would not have to be consecutive years. I see that nowhere in there does it mention consecutive years. I am assuming we are in agreement on the understanding that those 5 years are at any time over the period of time that would be covered by this legislation.

Mr. PUNT. That is correct, Mr. Speaker.

Mr. MURPHY. So they do not have to be consecutive. Somebody could work for a year, be off for a couple of years, work, and over a period of 10 years accumulate 5 years of work experience, the most recent one having exhausted their unemployment benefits, and then be eligible for general assistance. Is that correct?

Mr. PUNT. That is correct, Mr. Speaker, based upon their work pattern or work history in that period of time. Yes, sir.

Mr. MURPHY. Are there any estimates, Mr. Speaker, of how many people are presently receiving general assistance who have had work experience over a period of time like that, over 5 or 10 years, that would qualify them otherwise under this legislation?

Mr. PUNT. I believe, Mr. Speaker, it would be approximately in the neighborhood of 5,000.

Mr. MURPHY. Thank you, Mr. Speaker.

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

Mr. CORDISCO. Mr. Speaker, I would like to interrogate the gentleman, Mr. Punt, please.

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman, Mr. Cordisco, may proceed.

Mr. CORDISCO. Mr. Speaker, can you tell me how many jobs have been produced in the course of the last 3 years above and beyond those which Pennsylvania has lost?

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

Mr. CORDISCO. No idea as to the present administration's ability to provide jobs in Pennsylvania?

Mr. PUNT. Your question can be very widely interpreted. The Pennsylvania Job Service offices received over 229,000 jobs.

Mr. CORDISCO. No idea as to how many were lost as to the net of those particular figures?

Mr. PUNT. Of those figures, sir, nearly 43,000 went unfilled, of those jobs.

Mr. CORDISCO. I believe you are misinterpreting my question, sir. What I am attempting to ask you is, in the course of the last 3 years, Pennsylvania has either provided employment through new industry or lost employment through industry to other States of the Union. I wanted to know from you, sir, what was the net result of that particular observation?

Mr. PUNT. I do not have that information.

Mr. CORDISCO. Yet today we are standing here and we are going to attempt to legislate for the jobless. Is that correct?

Mr. PUNT. No, Mr. Speaker.

Mr. CORDISCO. Mr. Speaker, I represent a working-class district primarily made of—

The SPEAKER. The gentleman will yield.

Mr. CORDISCO. I am still pursuing the course of interrogation, Mr. Speaker.

The SPEAKER. The gentleman should ask questions, not make statements in the nature of argument.

Mr. CORDISCO. I am prefacing my remarks so that Mr. Punt may better understand my question.

I represent a district primarily made of blue-collar workers from U.S. Steel. As of Christmas, approximately over 50 percent of 12,000 employees will be laid off due to the economics of this country. I do not live in Philadelphia, nor do I live in Allegheny County. I do support workfare. However, I have a problem with this particular piece of legislation.

Mr. Speaker, suppose two steelworkers were laid off for more than a period of 30 weeks—and Pennsylvania is not in the position of giving extended benefits—are given no recourse but to seek some type of public assistance. One individual owns a home; the other individual happens to rent or live with another family or in a household made up of various families. We both are incorporated into the workfare community program. Some 6 months later, the economic condition of this country is in better shape and we are called back to work. Due to the instability, the two of us see another opportunity in another county, so we are now going to move our families from Bucks County to Beaver County. Now, we have both worked for a period of 6 months under the workfare program. However, one owns a home and the other rents. Would the individual who has paid property taxes and owns a home be forced to pay back that money which he has earned under the workfare program in the course of selling his house before he can move other than comparable to the rental?

Mr. PUNT. No, since he has earned those funds.

Mr. CORDISCO. Under the workfare system he would not be forced to pay it back due to a lien placed against his house. Is that correct?

Mr. PUNT. He would have earned those funds and would then be reimbursed for those earnings.

Mr. CORDISCO. Could you point to the section of this particular piece of legislation that says he would be exempt? Because I have read the conference report, and it states that the amendment that was offered by Mr. Murphy during the previous discussion was removed, and, therefore, under the present guidelines that individual would be forced to pay back that particular money, so in essence all you have given him is an interest-free loan, that individual who felt a need to own a piece of property and provide some housing for his family, as compared to that individual who did not pay taxes as a rental in the form of property taxes and he would be receiving a grant. Is that not correct?

Mr. PUNT. If he is receiving that interest-free loan, that is correct.

Mr. CORDISCO. Then that would change, Mr. Speaker, your previous statement. Is it not a fact that you are giving one individual, both residing in Pennsylvania, in fact, one individual who owns a home—probably most of those steelworkers whom I am referring to who reside in my district and most of the districts of the gentlemen from Bucks County—basically what you are saying to that individual who owns a home is, we are going to penalize you in that we do not see you on the same par as the gentleman who happens to rent that particular housing.

The SPEAKER. Will the gentleman yield.

Has the gentleman concluded his interrogation?

Mr. CORDISCO. No, Mr. Speaker. I do not believe the gentleman has properly addressed my question. He has two statements for the record, obviously one contradicting the other.

The SPEAKER. The gentleman, Mr. Punt, or any other person subject to interrogation has the right, of course, to answer the questions as he sees fit. The gentleman, Mr. Cordisco, has sat through many long debates in this House and has been reminded along with other members as to how to properly interrogate under our rules. I would simply remind the gentleman of these prior rulings and ask him to restrict his questions to those that are permitted.

Mr. CORDISCO. Mr. Speaker, in essence, basically I believe I asked one question to which I received two answers. Due to the importance of this particular piece of legislation and so my fellow members are fully aware of the consequences of this piece of legislation, I felt it vitally important to address that issue again so that we all understand that the people in Pennsylvania who own property and pay taxes are going to end up working for nothing under the welfare proposal we see today, and in fact we are jeopardizing those particular people. I believe that this House of Representatives is entitled to the correct answer from the sponsor of this particular piece of legislation, so I will address the question again. Mr. Speaker, is it a fact that one will be receiving an interest-free loan and the other will be receiving a grant?

Mr. PUNT. That is the existing law, Mr. Speaker.

Mr. CORDISCO. And was that not attempted to be changed and was removed in conference?

Mr. PUNT. That is one of many provisions which the conference committee considered. Yes, sir.

Mr. CORDISCO. Thank you, Mr. Speaker. I am through with interrogating Mr. Punt. He has given me the correct answer. I want to make a further statement.

Mr. Speaker, I think it is vitally important, especially to the members on the opposite side of the aisle. I do not consider myself to be one in the liberal vein. I believe that jobs must be provided by the private sector. However, due to certain economic situations, especially affecting my district and many of your districts, because as the automobile industry is affected, so will be the steel industry and every other industry affiliated with it, those gentleman who sweat and work and are willing to work 40 to 60 hours a week might be in the position of being laid off. And because Pennsylvania through its previous legislation of not 3 weeks ago, Mr. Speaker, removed the possibility of extended benefits to those individuals, many of those hard-working steelworkers whom we depended on and blue-collar workers whom we depended on to get us to this chamber are going to be faced with a very difficult situation. Those gentleman have a great deal of pride—that is right, Mr. Speaker, pride. They are going to be forced into taking the option of either letting their families starve because there are no jobs available, nor are there any programs which will provide substantial vocational retraining in Pennsylvania, as witnessed by Chairman Pitts, his information in our previous meeting in an attempt of what he is trying to do for the future.



So those people who are willing to work are going to be told that yes, you own a house; yes, you provided taxes for a community so that your children can go to school, but we are going to see you as a second-class citizen, because we feel that you should pay back the grant and you should work for free. Mr. Speaker, the term that should be used to describe that is "slavery," which we had attempted to diminish in 1865. You are asking that fellow who sweated and paid property taxes and other taxes so that you might enjoy some of the benefits of this legislature, you are telling him, Mr. Speaker, you are saying, you are a second-class citizen; you are going to work for free; we are going to give you nothing more but an interest-free loan which we want you to pay back before you move or before you attempt to sell your house. But that fellow who lives in an apartment, that wily fellow whom Mr. Hayes referred to, does not own a home. He is that rental that I am addressing. He is going to receive that grant, and the State is going to say to him, you can keep that money; we do not want it back; the only money we want returned to us is from the guy who sweated and wanted to provide a home for his family in the way of a house, a piece of property. If that is not an injustice, I would like Mr. Punt to explain to me what is. If he is not needy, I do not know who is.

So I am not representing Philadelphia or Allegheny County here today, Mr. Speaker; I am representing the working-class people in the State of Pennsylvania. Until this chamber can provide jobs for those people, do not cut off the bare necessities for them to live. Thank you.

The SPEAKER. For the benefit of the people in the gallery, we have requested from time to time that they not applaud, boo, or show pleasure or displeasure, as a token of respect for this House. I would ask again respectfully that the folks in the gallery contain themselves without making outward expressions.

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

Mr. LLOYD. Thank you, Mr. Speaker.

I rise as one who has some concerns about this bill which I hope will be answered during debate this afternoon. There is nothing that I would rather do today than vote for HB 720.

I rise to also disagree with the comments made by two colleagues of mine from this side of the aisle. I was one of the handful of Democrats who voted to keep the welfare lien, and I do not agree with the gentleman's position. I disagree with the argument that was made with regard to rent in public housing. However, Mr. Speaker, I have some concern that this bill does not really get at the problem that we all thought or those of us who voted for the House version of this bill last spring thought we were addressing, the problem that the majority leader characterized as the wily welfare careerist.

Now, Mr. Speaker, as I read the conference report and compare that to the House version of this bill, I see a couple of distressing compromises made by the House conferees. First, in the House version, it is my understanding that the people who were transitionally needy between the ages of 18 and 45 would be entitled to 4 months of workfare. In the conference report, that has been reduced to 1 month. Now, I rec-

ognize that there is a need to economize and at some times things must be bargained away in order to reach a compromise, and I recognize also that our State is in a much more precarious revenue position than we thought we would be in when we passed the House version last spring. But, Mr. Speaker, it is difficult for me to understand why in the bill which we passed last spring we had a grandfather clause for those wily welfare careerists who were already on welfare to stay there until the end of June 1983, and while we have cut the benefit for the transitionally needy from 4 months to 1 month, we have shortened the grandfather clause by only 6 months, to the end of 1982.

Now, since we passed this House version, we have also made some changes in the Unemployment Compensation Law to make it more difficult for us to draw extended benefits. So my concern, Mr. Speaker, is that we are not really providing a bridge between unemployment and either a move out of the area or another kind of job, into a different kind of profession, that we thought we were when we all voted or most of us voted for the Gruppo amendment last spring. What we have is a situation, Mr. Speaker, in which a young fellow, after this bill passes, who is working in the steel mill or the coal mine or a young woman working in the garment factory gets laid off, and he or she gets 30 days on workfare, after having paid taxes to keep the wily welfare careerist on workfare until the end of 1982. Now, when we have to compromise away some of the strong points in the Gruppo amendment and some of the strong points in the House version of HB 720, I do not understand, and I hope we can get answers today during the debate, why those particular compromises had to be made.

Furthermore, Mr. Speaker, when we voted for the Gruppo amendment, we did so with the understanding, or at least I think we were given the impression, that any able-bodied welfare recipient, regardless of his age, could be made to go on workfare as long as he was able-bodied. Now we see the conference report, and what happens? If you are over 45 and able-bodied and you are a wily welfare careerist who has been on welfare for years, or off and on, you get to continue without having to go to work, and I do not understand, Mr. Speaker, why that is fair to the fellow who has worked and paid taxes and his unemployment compensation runs out but who is not old enough to have worked 5 years.

Furthermore, Mr. Speaker, when we voted for this bill last spring, the State did not have the legal authority to impose workfare on AFDC and food stamps. Since that time there have been changes in the Federal law, changes which I heartily endorse. The problem is that we see only one of those changes reflected at all in this bill, and that is the extension of workfare to AFDC recipients. I think that is fine. I know many of my colleagues on my side of the aisle do not like that, but I do. But what we do not see is any extension of the workfare concept to the welfare program which is probably least liked in my part of the State - food stamps. If I have heard once, I have heard a thousand times stories of people who stand in line at the grocery store behind somebody who buys better things on food stamps than they can get with their hard-earned dollars. Mr. Speaker, I do not understand why if we

had to compromise in this bill to save money we did not try to save some by forcing some of the wily welfare careerists off the food-stamp rolls.

Mr. Speaker, also another issue which I hope can be answered this afternoon, when we voted for this bill last spring, it had an extra-special incentive to employers from high-unemployment areas, and they would get extra benefits if they would hire people off the welfare rolls. That was good, and that was especially good for those of us in double-digit unemployment areas. But yet, when we look at the conference report, that part has been thrown out, and now we do not really seem to be interested in helping people in Somerset and Cambria Counties, where you have an out-migration of people because the steel mills are closing down. We do not seem to be interested in helping those employers, giving them the little extra boost that they need so they can hire some of these people, and I do not understand that compromise, Mr. Speaker.

Now, Mr. Speaker, in addition to that, I am a little unclear on Mr. Punt's explanation, and I take his explanation of the 5-year provision on unemployment compensation to be an expression of the intention which the Department of Welfare is going to impose upon that section of the bill. Reading that section closely, I do not think that is the only possible construction, and I just hope, when we pass this bill today, that we are not going to end up later on with an interpretation by the Department of Welfare that says no, that means you have to have had 5 consecutive years of full-time employment immediately before you went on unemployment compensation and immediately before you went on welfare. Because if we do that, then what that means is that the Murphy amendment is no protection at all for people in the steel industry and the coal mines and in the garment factories, who typically are out of work for part of the year.

So, Mr. Speaker, I hope that during this debate today we can receive some explanations on those points, and that we can receive the assurances that will be necessary to allow those of us from high-unemployment areas but who represent constituents who want the welfare rolls cleaned up, I hope we can get some explanations about some of those compromises, and I hope we can get some explanations which will permit us to vote for this bill. Thank you, Mr. Speaker.

The SPEAKER. The Chair is going to interrupt the debate at this time to take care of some matters that have come over from the Senate. The Chair wants to dispose of these matters before the Senate adjourns. I have no reason to believe that they are going to do that shortly, but I am not going to take the chance.

## SENATE MESSAGE

### HOUSE BILL CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 1700, PN 2300**, with information that the Senate has passed the same without amendment.

## SENATE MESSAGE

### SENATE ADOPTS REPORTS OF COMMITTEES OF CONFERENCE

The clerk of the Senate, being introduced, informed that the Senate has adopted the Reports of the Committees of Conference on the subject of the differences existing between the two Houses on **HB 1290, PN 2676**; and **HB 1645, PN 2640**.

### BILLS SIGNED BY SPEAKER

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

#### **HB 1290, PN 2676**

An Act providing additional and supplemental appropriations from the Federal augmentation funds and the Federal Revenue Sharing Trust Fund, and changing certain State appropriations to the various departments of the Commonwealth for the fiscal period July 1, 1981 to June 30, 1982.

#### **HB 1645, PN 2640**

A Supplement to the act of July 1, 1981 (P. L. 142, No. 47), entitled "An act providing for the capital budget for the fiscal year 1981-1982," itemizing public improvement and furniture and equipment projects to be constructed or acquired by the Department of General Services, and transportation assistance projects to be acquired or constructed by the Pennsylvania Department of Transportation together with their estimated financial cost; authorizing the incurring of debt without the approval of the electors for the purpose of financing the projects to be constructed or acquired by the Department of General Services or Department of Transportation, stating the estimated useful life of the projects and making appropriations.

#### **HB 1700, PN 2300**

An Act amending "The County Code," approved August 9, 1955 (P. L. 323, No. 130), further regulating contracts and purchases as to bids and advertising.

#### **SB 108, PN 1457**

An Act requiring the termination of certain agencies of State Government under certain circumstances, creating a Leadership Committee with certain powers and duties and imposing powers and duties upon the Legislative Budget and Finance Committee.

#### **SB 532, PN 1520**

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for confidential communications to counselors of sexual assault victims.

### CONSIDERATION OF HB 720 CONTINUED MOTION TO RECOMMIT

The SPEAKER. The Chair recognizes the gentleman from Elk, Mr. Wachob.

Mr. WACHOB. Mr. Speaker, I would like to be recognized to make a motion.

The SPEAKER. The gentleman is in order.

Mr. WACHOB. Mr. Speaker, just as this House of Representatives rejected the concurrence in Senate amendments

some time ago and sent HB 720 to a committee of conference for the reason that it was not true welfare reform, I stand here before you today saying that the current version given to us, the members of this House, by the Conference Committee on HB 720 is not true welfare reform in the State of Pennsylvania and certainly is not something that I can support nor do I think the majority of the people residing in Pennsylvania can support.

We are not acting in a way that reflects the compassion that this House has acted on in the past. As Mr. Lloyd has pointed out and as Mr. Rappaport has pointed out and Mr. Cordisco, this proposal mirrors many myths. It does not adequately reflect the current distressful economic times that this State and this country are in, relies too heavily on the private sector, which has never carried its fair share, especially in times of distressful economic conditions, and although private charities have provided much relief and have helped many millions and billions of people throughout this country over our history, Mr. Speaker, they, too, are not capable of handling the current economic conditions in caring for these people as they rightfully deserve to be cared for.

For these reasons, Mr. Speaker, and with the recent announcement by the Speaker that the Senate was about to adjourn, I see no urgency in passing the Conference Committee Report on HB 720 this afternoon, and would urge the members of this chamber to recommit HB 720 to the committee on conference. The SPEAKER. The question now before the House is on the motion of the gentleman, Mr. Wachob, to recommit the conference committee report to the committee on conference.

On the question,

Will the House agree to the motion?

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

Mr. PUNT. Mr. Speaker, I cannot believe what I just heard the gentleman from Elk say, when Mr. Wachob said that the private sector has never carried its fair share. I cannot believe that. I do not believe that you believe that; I do not believe that the Democratic Party believes that. I do not believe that in fact is the case. In fact, it is quite the contrary; they have carried their share. Government, through the philosophy expounded for the last 40 years, has put us into the situation that we are in. Last year the public made a mandate that they wanted change; they wanted welfare reform.

What this motion will do—and I hope that you members in this House are listening to this—if you support the gentleman, Mr. Wachob's motion, you are going to vote against finding welfare fraud; you are going to vote against quality control audits, review audits and programs; you are going to vote against locating absent parents who skipped out, stopped paying their child-support payments.

Finally, this is nothing more than another ploy, an attempt to weaken, to distract, to take away an attempt to achieve true, meaningful welfare reform in this State, something that is desperately needed, which would result in an increase in cash assistance checks, as well as something that the taxpaying public, the people who have been footing the bill for so long,

have demanded that this General Assembly address. This is not a new tactic. We have had this over the last 3 years, and I submit to you, we are within very near time that we can bring about something that the people of this State are demanding. They want and support this program. This motion is an attempt to thwart, to delay, hopefully to water down and not have real, meaningful welfare reform, but to continue on with the same programs, the same philosophies, the same ideologies that we have had for 40 years.

The SPEAKER. The gentleman will yield.

The question before the House is the question of recommitment of the conference committee report to the committee on conference.

Mr. PUNT. I appreciate the Irish generosity in the gentleman. I oppose the motion.

The SPEAKER. Does the gentleman from Westmoreland, Mr. Kukovich, seek recognition on this motion?

Mr. KUKOVICH. Yes, Mr. Speaker.

The SPEAKER. The gentleman may proceed.

Mr. KUKOVICH. Mr. Speaker, I think what the previous speaker said regarding the tactic of this motion is totally erroneous. I think the statements he made were wrong. The purpose is not to thwart welfare reform—I am getting a little sick of that euphemism, because I do not believe this is welfare reform to begin with—but I think there are problems with this bill that we can only correct, obviously, by voting to recommit and sending it back to the conference committee.

Now, there were at least four items—I am not going to run through them—there were many more than that, but four that were of concern to me that were added to this bill the last time it passed that certainly improved it. Plus some of the language in here is also confusing on a few other points. Just one in particular is of some concern to me. I will mention that, and then I will sit down.

I wonder if Mr. Punt would stand for interrogation on just one section of the bill.

The SPEAKER. The gentleman is not permitted to interrogate or debate the merits of the bill. The only question before the House at this time is the question as to whether or not this conference committee report should be recommitted to the conferees.

Mr. KUKOVICH. Mr. Speaker, I will defer to your judgment; I will not interrogate Mr. Punt. I wanted to do so on the basis of one of the problems with this bill and why we need to recommit it, but I doubt if he knows the answer to this question anyway.

I will refer the members to page 10, section 3, particularly lines 20 through 24, that deal with that exemption in chronically needy. It has come to my attention—and I think those members who are concerned about the mentally retarded might want to pay attention to this—there seems to be a loophole created by this language. I am sure it was unintended, but most mentally retarded are currently receiving SSI (supplemental security income) benefits. Now, there might be a loophole in here, and I think there is, for those in between the ages of 18 to 21 who are retarded and who do not qualify under that section, perhaps they are living in a supervised apartment—

The SPEAKER. The gentleman will yield.

Will the gentleman please restrict his remarks to the question of recommitment? The gentleman is into argument on the merits.

Mr. KUKOVICH. No, Mr. Speaker, you are wrong. This is not arguments on the merits. As I explained before, we have to answer these questions, and we cannot do it on the floor because again we cannot amend this bill. It is important to point out some of the absurdities in this legislation so we can get it recomitted and fix it in the conference committee. But I will cut my remarks short.

The problem is that we are probably going to be excluding retarded people living in community living arrangements and supervised apartments from any coverage under this bill, and I am asking you to vote "yes" to recommit so we can solve problems like that, and that is one of many in this legislation. I would ask for an affirmative vote, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, I would like to ask all members of the House to vote in favor of recommitment also. As the gentleman, Mr. Kukovich, pointed out, in the one area with the retarded who may be in community-setting facilities who are not yet 21, and the manner in which this bill treats them, that is just one area where I think we are making a gross mistake in the bill and can be corrected if we get this thing back to conference.

There is workfare in the bill, and I had a discussion with Mr. Punt. Women who have children, once the children become 6 years of age, the women must go through a workfare program, although they have young children, once they are 6 years of age; yet workers who exhaust their unemployment compensation benefits and who may be able-bodied and have no children at home do not have to go through the workfare program at all. That is just ridiculous, and I think Mr. Punt would admit that that is a ridiculous distinction, and we ought to send it back to correct those kinds of things that have come to light since we have studied this bill.

I would say to all members who are interested in true welfare reform, trying to get a good bill, trying to get a bill that makes sense, trying to get a bill that does not have the opposition of labor, the Catholic Conference, the League of Women Voters, and people who look hard at legislation up here, I think we ought to recommit this bill and get a much better bill. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—89

Armstrong	Fee	Maiale	Seventy
Belfanti	Gallagher	Manderino	Shupnik
Beloff	George	Michlovic	Steighner
Berson	Gray	Miscevich	Stewart
Blaum	Gruitza	Mrkonic	Stuban
Borski	Haluska	Mullen	Swaim
Cappabianca	Harper	Murphy	Sweet
Cawley	Hoeffel	O'Donnell	Taylor, F. E.
Clark	Horgos	Olasz	Telek
Cochran	Hutchinson, A.	Oliver	Tigue
Cohen	Itkin	Pendleton	Trello
Colafella	Kolter	Petrarca	Van Horne

Cole	Kowalshyn	Petrone	Wachob
Cordisco	Kukovich	Pistella	Wambach
Cowell	Laughlin	Pratt	Wargo
DeMedio	Lescovitz	Pucciarelli	Wiggins
DeWeese	Levin	Rappaport	Williams, H.
Dawida	Livengood	Richardson	Williams, J. D.
Deal	Lloyd	Rieger	Wozniak
Dombrowski	Lucyk	Ritter	Wright, D. R.
Donatucci	McCall	Rocks	Wright, R. C.
Duffy	McMonagle	Rybak	Zwikl
Evans			

NAYS—96

Alden	Fargo	Kennedy	Reber
Anderson	Fischer	Klingaman	Salvatore
Arty	Fleck	Lashinger	Saurman
Belardi	Foster, W. W.	Levi	Serafini
Bittle	Foster, Jr., A.	McClatchy	Showers
Bowser	Frazier	Mackowski	Sieminski
Boyes	Freind	Madigan	Sirianni
Brandt	Fryer	Manmiller	Smith, B.
Burd	Gallen	Marmion	Smith, L. E.
Burns	Gannon	Merry	Snyder
Caltagirone	Geist	Miller	Spitz
Cessar	Gladeck	Moehlmann	Stairs
Cimini	Grabowski	Morris	Stevens
Civera	Greenwood	Mowery	Swift
Clymer	Grieco	Nahill	Taddonio
Cornell	Gruppo	Noye	Taylor, E. Z.
Coslett	Hagarty	Perzel	Vroon
Cunningham	Hasay	Peterson	Wass
DeVerter	Hayes	Phillips	Wenger
Daikeler	Heiser	Piccola	Weston
Davies	Honaman	Pitts	Wright, J. L.
Dietz	Hutchinson, W.	Pott	
Dininni	Jackson	Punt	Ryan,
Dorr	Johnson	Rasco	Speaker
Durham	Kanuck		

NOT VOTING—9

Emerson	Letterman	Micozzie	Spencer
Gamble	McVerry	Smith, E. H.	Wilson
Greenfield			

EXCUSED—8

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

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

On the question recurring,

Will the House adopt the report of the committee of conference?

REMARKS ON VOTE

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

Mr. GAMBLE. Mr. Speaker, I was locked out on the last vote on recommitment of HB 720. I would like to be recorded in the affirmative.

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

CONSIDERATION OF HB 720 CONTINUED

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

Mr. H. WILLIAMS. Thank you, Mr. Speaker.

Mr. Speaker, I would like to at this time of year say, joy to the world, the Lord has come, and it seems that the Lord is coming in the form of a welfare reform bill, HB 720. I would like at this time of year to remember the words "come, all ye faithful, joyful and triumphant," because a man walked this earth 2,000 years ago whom we invoke many times, and we did the other day on the abortion bill against murder. We say those concepts, especially at this time of year, are invoked against killing, and indeed the effect of this legislation will be to starve some people to death, and we invoke in His name all the time that we should help the poor, help the needy, and feed the hungry. This bill will starve the hungry; it will kill the poor.

Oh, yes, we talk many different ways. Mr. Lloyd said something about the welfare careerists. Well, that is government's fault. If we cannot make a bureaucracy efficient and help the people we should, then do not impose that on the backs of the poor, the needy, and the working poor. Mr. Cordisco says the steelworkers are in trouble. Well, God did not make liberals; He did not make conservatives; He did not make steelworkers; He did not make careerists. He made people and said what our responsibility is. Democrats or Republicans cannot philosophize as to what should be done morally and correctly with poor and needy people, and at Christmastime our mandate is obvious. It is government's responsibility to eliminate fraud. We have not done that in welfare and a lot of other things, because politicians do not have the need to do it. We do not do all the things to put the money where it is supposed to be, because we have caved in on our responsibilities. How dare we say able-bodied people, when people who have been very productive cannot find jobs, and that is clear.

There are thousands of people called veterans who fought for a lot of us in far-off lands. In Poland where we are sending food; in Korea where we are sending money; in Japan where we send money to, and tanks, and a lot of other things we send to a lot of other people, where we sent men to fight and to die, many of whom are right back, between 18 and 45, some on drugs because the transition was too tough, some on drugs because that is what they got in Vietnam. And what you are saying to that one person—and there are thousands—we do not care about you, whether you are needy, poor, or what you are. How dare this self-sophisticated assembly do that.

That is not the only category. We say that we are opposed to killing. We say as a policy that we are going to stop crime. We passed a bill a couple of weeks ago to announce to the people of Pennsylvania, we are serious about crime and we care about you, and yet HB 720 will take a man out of prison already and say, we are going to guarantee that he is going to commit some more crimes, to hurt someone else, and build a prison when we get him back and spend some more money.

Mr. Speaker, I say to you that there is absolutely no welfare reform, not only in HB 720, but in the philosophy, the ideology, Democrat or Republican, liberal or conservative, which tends to hoodwink a public into thinking that we are doing something about their money. There is absolutely only one ideology, and that is how quickly we can fool the public,

because if we are interested in welfare reform, all we are talking about is managing our money. So catch the crooks—and that should not be hard for an intelligent body like ours. And number two, our policy should be crystal clear and, I think, not unlike when Christ gave His mandates when He walked 2,000 years ago, and that very simply is to help those who need.

Now, when we go home and eat our turkey on Christmas and see the sparkle in the eyes of our children, and we have heat, I hope you will take a moment to understand that there are thousands of children and mothers, no different from the kids in Vietnam and Korea and all over this country or world who starve, who are starving literally to death. As we pick up the cranberry sauce, as we drink the egg nog and the champagne and watch the football games, that when Christ said that, He imposed on us an obligation to really help the needy. And I am talking about the truly needy is not a Democratic or Republican concept to fool the public. A truly needy is simple and obvious. Christ is not so complicated—and I do not mean to preach—but HB 720 more than anything else, and especially at this time of year, points out how insensitive, how grossly insensitive we are to a human problem, and how ridiculous it is because it spends more money, does not eliminate the fraud we are after, does not create reform. Anytime we will say we do not care about a person who fought for us, anytime we say we are not concerned about a mother struggling to take care of children, anytime we say that we do not care if criminals run the streets and kill other people, anytime we say to people who have worked for years and years and years and through no fault of their own, by the thousands, there are no jobs, it is our responsibility, if we can, to create some jobs, not to make the situation worse, more dangerous, more expensive, less moral, less Christlike, at a time of year when we say, O come, all ye faithful. And who are they? They are we; they are those of us who will carve out that concept and apply it and not let our politics interfere, especially when they are inefficient, expensive, and contradictory politics.

I, indeed, am a veteran of a foreign war. I am very, very happy that my circumstance somehow brought me here rather than where I know thousands of other veterans are. But I would find it so crushing to my spirit to think that all those promises you sent me away to fight for do not apply in real life. I would be so sad to understand that if we pass HB 720, we know we have already broken the backs of the poor, because yesterday at the demonstration I saw the folks who came in the employment line, 50 or 60 or so, who are indeed the faithful who came to demonstrate to us our own immorality. I remember a time when there would be 5,000 people here kicking down doors, and we would hide. So we have broken the backs of the poor. Let us not break the spirit, not only of the people, but the spirit that infects us all, all of us, no matter what our circumstances are, whether we are veterans, whether we are steelworkers, whether we are conservatives, Republicans, or Democrats.

Mr. Speaker, I would just say in closing that as we do eat our Christmas dinners as I described it, and as you peer into

the eyes of your lovely ones, I would hope that what we do today can cause you to digest that meal very easily. I thank you.

### CONSTITUTIONAL POINT OF ORDER

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

Mr. KUKOVICH. Mr. Speaker, I want to address a particular section of the bill and question its constitutionality.

The SPEAKER. The gentleman from Westmoreland, Mr. Kukovich, questions the constitutionality of the conference report to HB 720. That is the question now before the House.

On that question, the Chair recognizes the gentleman, Mr. Kukovich.

Mr. KUKOVICH. Mr. Speaker, I would not raise this question or make this motion if I did not truly feel that this bill was unconstitutional, and I will try to explain why.

Section 475 of the bill, which is on page 29, deals with the grant increase, the 5 percent that would go back to whatever adjective you want to throw in front of needy this week. Of course, that comes out to about 15 cents a day per individual. The problem with it is that there is also language in that section which says that if this bill is challenged in any way, in any other section of the bill, then the grant would be wiped out. For example, if one of the employers is denied the tax credit for hiring recipients, they might bring a court challenge. That would trigger this section of the bill and would wipe out any grant increase. If someone challenges it because they were denied a ruling on disability, that would wipe out the grant increase. Almost any section of this bill that could trigger any legal action would wipe out the granting increase section. Now, the constitutional problem with that is—and I would refer you to a case that happened in Rhode Island where they tried to do the same sort of thing; the citation of the case is *Roselli v. Noel*, for any of the constitutional scholars. But the Federal courts have held that that is constitutional because you have a first-amendment right to petition your government for redress of grievances.

Now, apart from this section of the bill being one of the most cynical and cruel sections, it is also telling people who might get a grant increase, if anybody challenges any section of this bill, your grant increase is wiped out. Now if that does not have a chilling deterrent effect on anyone's first-amendment rights, nothing does. And as I said, the courts have held this to be unconstitutional, and for that reason I think an honest vote on this bill would be against constitutionality. Thank you, Mr. Speaker.

### MEMBER'S PRESENCE RECORDED

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Earl Smith, who asks that his name be added to the master roll call.

### CONSIDERATION OF HB 720 CONTINUED

The SPEAKER. The Chair recognizes the minority whip on the question of constitutionality raised by the gentleman, Mr. Kukovich.

Mr. MANDERINO. Mr. Speaker, very briefly, I think that if members followed along the Kukovich argument on constitutionality, none of us would vote with the proposition that this was constitutional and would all vote in the negative. If we vote as we should, as I believe we should and Mr. Kukovich demonstrated on constitutionality and not allowing the provision to which he spoke to stand, this will not be the end of HB 720. I am sure there will be a conference committee reconvened. I am sure the bill will be tailored properly, and I am sure it will come back. And those of us who think that this bill needs tailoring, this is a second chance to get that done, and I ask for—what kind of a vote do I ask for, Mr. Speaker?—a negative vote on constitutionality.

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

Mr. PUNT. Mr. Speaker, this is nothing more than another attempt to delay this House from addressing welfare reform; that is all that it is.

I support the constitutionality and would ask for an affirmative vote.

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Richardson, on the question of constitutionality raised by the gentleman, Mr. Kukovich.

Mr. RICHARDSON. I would like to ask Mr. Punt if he would stand for interrogation.

The SPEAKER. The question before the House, Mr. Richardson, is with respect to the question of constitutionality.

Mr. RICHARDSON. I just have a question to ask Mr. Punt.

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

Mr. RICHARDSON. Mr. Speaker, on your remarks on constitutionality, you just got finished enumerating that this was another attempt, just another attempt to delay welfare reform. I would just like to ask you one question on the constitutional question. In the version of the House bill that left and went to the conference committee and then they put in this particular provision that indicated that the 5-percent grant increase would be allocated to those particular individuals who are considered by your definition as truly needy, why would there be a proviso that says that those persons would not be able to get that grant increase if it were challenged in court?

Mr. PUNT. Mr. Speaker, we are determining constitutionality here. When the conference committee worked on this report, we conferred with our legal staff. We are of the opinion that it is in fact constitutional, and this House of Representatives, when this vote is taken, will in fact determine constitutionality.

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

I would like to speak on the constitutionality.  
The SPEAKER. The gentleman is in order and may proceed.

Mr. RICHARDSON. Mr. Speaker, we attempted to try and get a basis for the reason of why the conferees decided to put the particular phrase in this particular legislation that will put a hammer over those individuals who are truly needy. They cannot vote on the House floor today in determining how they will get to the end result of their 5 percent. If a group or a business employer decides to challenge this particular phase of the bill based on its own merits, then those persons who would be eligible for the 5-percent increase are going to be termed "ineligible" for their 5 percent. It is like a "Catch 22"; it is hanging over their heads and as long as no one challenges that bill, then it is okay.

Just last week, however, Representative Freind, in the question dealing with abortion, standing on this floor, indicated that even though there may be some court challenges to the provisions that are dealing with abortion, at least he was strong in feeling that the arguments that had been centered around abortion were clear. But in this particular case it was not the same situation, and I think that members of this House will all verify that this is another way of trying to make sure that the truly needy do not get their 5 percent.

And on that question, Mr. Speaker, and on that point of constitutionality, I would ask the members to vote in the negative so we can send this back to this conference committee and get the proper perspective on how we can deal with true welfare reform.

The SPEAKER. On the question of constitutionality, those who believe the Conference Committee Report on HB 720 to be constitutional shall vote in the affirmative. Those who believe the provisions of the Conference Committee Report on HB 720 to be unconstitutional shall vote in the negative.

On the question,

Will the House sustain the constitutionality of the report of the committee of conference?

The following roll call was recorded:

YEAS—106

Alden	Durham	Kennedy	Reber
Anderson	Fargo	Klingaman	Rocks
Armstrong	Fischer	Lashingier	Salvatore
Arty	Fleck	Levi	Saurman
Belardi	Foster, W. W.	Lloyd	Serafini
Berson	Foster, Jr., A.	McClatchy	Sieminski
Bittle	Frazier	McVerry	Siriani
Blaum	Freind	Mackowski	Smith, B.
Bowser	Fryer	Madigan	Smith, E. H.
Boyes	Gallen	Manmiller	Smith, L. E.
Brandt	Gamble	Marmion	Snyder
Burd	Gannon	Merry	Spitz
Burns	Geist	Micozzie	Stairs
Cessar	Gladeck	Miller	Stevens
Cimini	Grabowski	Moehlmann	Swift
Civera	Greenwood	Morris	Taddonio
Clymer	Grieco	Mowery	Taylor, E. Z.
Cochran	Gruppo	Nahill	Taylor, F. E.
Cornell	Hagarty	Noye	Telek
Coslett	Hasay	Perzel	Vroon
Cunningham	Hayes	Peterson	Wass
DeVerter	Heiser	Phillips	Wenger
Daikeler	Honaman	Piccola	Weston
Davies	Hutchinson, W.	Pitts	Wright, J. L.

Dietz	Jackson	Pott	Ryan,
Dininni	Johnson	Punt	Speaker
Dorr	Kanuck	Rasco	

NAYS—83

Belfanti	Gallagher	Maiale	Seventy
Beloff	George	Manderino	Showers
Borski	Gray	Michlovic	Shupnik
Caltagirone	Gruitza	Miscevich	Steighner
Cappabianca	Haluska	Mrkonic	Stuban
Cawley	Harper	Mullen	Swaim
Clark	Hoeffel	Murphy	Sweet
Cohen	Horgos	O'Donnell	Tigue
Colafella	Hutchinson, A.	Olasz	Trello
Cole	Itkin	Oliver	Van Horne
Cordisco	Kolter	Pendleton	Wachob
Cowell	Kowalyszyn	Petrarca	Wambach
DeMedio	Kukovich	Petrone	Wargo
DeWeese	Laughlin	Pistella	Wiggins
Dawida	Lescovitz	Pratt	Williams, H.
Deal	Letterman	Pucciarelli	Williams, J. D.
Dombrowski	Levin	Rappaport	Wozniak
Donatucci	Livengood	Richardson	Wright, D. R.
Duffy	Lucyk	Rieger	Wright, R. C.
Evans	McCall	Ritter	Zwinkl
Fee	McMonagle	Rybak	

NOT VOTING—5

Emerson	Spencer	Stewart	Wilson
Greenfield			

EXCUSED—8

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the report of the committee of conference was sustained.

REMARKS ON VOTE

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

Mr. BERSON. On the vote on constitutionality on HB 720, Mr. Speaker, I inadvertently voted in the affirmative. I intended to vote in the negative.

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

CONSIDERATION OF HB 720 CONTINUED

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

Mr. RICHARDSON. Thank you, Mr. Speaker.

It was the great depression and the New Deal that created the next major change in the shape and the philosophy of public assistance programs, when as much as 25 percent of the work force unemployment indigence came to the middle class. The combination of the political effect and the philosophy of social invocation manifested by the New Deal made a feasible massive program for relief to the indigent people. The result was the Social Security Act of 1935.

The act utilized two theoretically different types of programs to attack the problem of those indigent persons. The first program was a comprehensive scheme of social insurance designed to provide income maintenance to those workers

whose income was interpreted either by temporary unemployment or by retirement. And the second were the categories of categorical assistance programs, and those provided income assistance to certain categories of poor persons, the aged, the blind, aid for families with dependent children, and eventually the disabled.

I cite those, Mr. Speaker, to point out several inconsistencies with HB 720 and its conference committee report. One, in this country right now there are about 8 1/2 million people who are unemployed across the country, which is about 8.5 percent unemployment in this country. But when we come down to Pennsylvania, I want to point out for the members who were not listening before that maybe they will listen now, that there are some Pennsylvania counties in this Commonwealth with double-digit unemployment. For an example, in Clinton County there is 17.7 percent unemployment, and the GA rolls rose to a 53.5-percent growth. The State Representative in that district is Representative Letterman. In Huntingdon County we talk about the unemployment rate being 15.3 percent. Growth of GA in that particular county was 20.6 percent. Representative Hayes and Representative Dietz have that district. In Cambria County, 12.8 percent unemployment, a 30.6-percent increase in the whole growth of general assistance. Representatives Haluska, Stewart, Telek, and Wozniak are all Representatives who fall in that category of Cambria County. Armstrong, 12.6 percent unemployment, a 36.9-percent increase in GA recipients where Representative Livengood comes from. In Butler County, 12.5 percent, a 32.9-percent increase in general assistance. Representative Burd comes from that district. In Lycoming County, a 12.1-percent increase, a 34.7-percent growth in general assistance. Representatives Cimini and Grieco come from that district. In Cambria County, an 11.9-percent unemployment rate with a 38.6-percent growth in general assistance, again Representatives Haluska and Wozniak. In Bedford County, 11.8 percent unemployment or 36.1 percent in general assistance.

And I point these out, Mr. Speaker, to show the disparity of our unemployment as it relates to these particular counties, because these particular counties have been cited in the past as being counties that were not affected at all by unemployment, were not affected at all by welfare recipients, but now have an influx of welfare recipients who may possibly fall on the rolls, because these figures come from the labor market and the Labor and Industry Department that indicated just those persons on unemployment. This does not include the 18 years of age and older persons who are unemployed in that district who are not on unemployment, and it does not include those person who have been taken off welfare who do not fall in the category.

In Blair County, 11.5 percent unemployment, an 18.6-percent growth in the GA recipient rolls, Representatives Hayes, Geist, and Johnson. Somerset County, 11.5 percent unemployment, a 35.7-percent growth in GA recipients, Representative Lloyd. In Fayette County, 11.4 percent unemployment, 15.3 percent in growth in general assistance, Representatives Cochran and Taylor. In Crawford County, 11 percent unemployment, 29.1 percent in growth in general assistance;

that is Representatives Merry and Swift. In Sullivan County, 11 percent unemployment, a 17.9-percent growth in general assistance, Representative Sirianni. In Columbia County, 10.9 percent unemployment, 21.6 percent in growth in general assistance, Representative Stuban. In Mifflin County, 10.9 percent unemployment, a 21.9-percent growth in general assistance, Representative DeVerter. In Luzerne County, 10.8 percent in unemployment, 13.3 percent in growth in general assistance, Representatives Blaum, Coslett, Hasay, Shupnik, Stevens, and Tigue. Wyoming County, 10.7 percent unemployment, 12.9 percent in the GA growth for recipients, Representative Sirianni. Bradford County, 10.5 percent unemployment, a 9.2-percent growth in the welfare GA area, Representative Madigan. Northumberland County, 10.5 percent unemployment, 22.6 percent in growth in general assistance, Representatives Belfanti and Phillips. In Schuylkill County, a 10.5-percent unemployment rate, a 29.7-percent increase in the GA rolls, Representatives Hutchinson, Klingaman, and Lucyk. In Clearfield County, an unemployment rate of 10.5 percent, growth of general assistance, 28.3 percent, Representative George.

I pointed those out specifically first to indicate to you that Philadelphia, where most of your attacks have been aimed directly at us, has been by contrast to the contrary. For example, in Philadelphia our unemployment rate at this point is 9.9 percent and a 3-percent growth in general assistance over the past year. In Allegheny County the unemployment rate is 7 percent and the increase by contrast shows a 7-percent increase in the general assistance rolls.

I point these out specifically, Mr. Speaker, to show you that these unemployment rates that we are citing to you today have a tremendous impact on several of the counties that I have already enumerated. I want to give you some figures that perhaps may help you understand a little better. For an example, in Montgomery County, presently, as of October, according to the Pennsylvania civilian labor force data county of residence, we will find that the unemployment rate there is 7.3 percent; in numbers, that is 20,747 persons unemployed. As an example, in Delaware County, a 7.6-percent unemployment rate, 19,813 persons unemployed in that county where the Speaker comes from, Delaware County.

I point to Philadelphia, just in comparison to the rest of the Commonwealth, that we have a rate of 9.9 and out of that 9.9, 81,210 persons are unemployed. To show you that while we are talking about unemployment, we should be fair to note that this only represents those statistics coming from the unemployment rolls submitted to us by this Commonwealth. It does not include those persons whom you do not have on those unemployment rolls, such as the youth, which increases the number of unemployment all across this entire State of Pennsylvania, as well as those persons who have been on the welfare rolls and now taken off because their unemployment may have run out and because they may not be on assistance at all.

I point to that, Mr. Speaker, to get into this statement that the newest version of Governor Thornburgh's attempt at welfare reform is a shame and a sham. Number one, it is the



very worst of the legislative proposals that have been brought before us. We have talked about "Thornfare I," "Thornfare II," "Thornfare III," and now "Thornscooge." It is in fact "Thornscooge," a coldblooded and coldhearted attempt to hurt white and black families across this Commonwealth. This legislation is a smack in the face, or should be at least, to the most ardent Thornburgh supporters.

If we are to review the unemployment rate in Clinton, which we have done; in Huntingdon, which we have done; in Cambria, Armstrong, Butler, Lycoming Counties, we will see an ever-rising unemployment rate, ever than before, which takes us all the way back to the Social Security Act which created this in the first place. Where are people to go when they have no subsistence at all to hold on to? Where are they to go when there are no jobs in the Commonwealth that they can deal with? Who are they to fall back on and where are they to go when even the gentleman who is the prime sponsor and was a conferee has stated that they have not gotten any word from the private sector that there are going to be jobs to fill in for those persons whom they want to wipe out, or fall in the category of transitionally needy and say, we will give them 30 days to lay on the rolls to receive a check? But at no time in the bill does it specify or speak out to when do they get paid? Do they get paid before they go to work or after they go to work and for what length of time do they have to work in order to receive the welfare checks? It is not pointed out in the bill.

You should be concerned with that, because those are the questions that are going to be raised to you by some of your own persons in your district. What are the legislators from those areas going to do by supporting this piece of repressive legislation? What are the general assistance recipients who are faced with the holiday season—that we talk about bringing a choir in here in the well of the House today to sing Christmas carols to talk about a time of joy? But yet and still we are ready to cut the throats of the poor people in this Commonwealth and not even give them a chance. This is another attempt to slap us in the face and just deal with things as you want them to be dealt with, as opposed to dealing with them in some type of process. This version should be voted down for many other reasons.

The procedural grounds which we talked about, the linkage process which had been tried about 14 months ago, Governor Thornburgh linked his proposed cuts of 68,000 persons from the general assistance to antiabortion, but that 68,000 now has increased to about 160,000 persons whom we are talking about taking off the GA rolls, and that does not include the cutbacks that came out of Washington that fall under the Federal regulations, and we need to be clear about whom we are addressing our attack at today.

We are vehemently opposed particularly to the hardball game that the Republican Party is playing, not because of the game but because of the cynical approach that is being used to adopt this Thornburgh administration bill. The Governor's proposal is supposed to save about \$129 million in general assistance, cuts added to a \$25-million savings because of the Reagan cuts, which make HB 720 a savings bill of between

\$154 million and \$177 million. But I ask this question: If the 5 percent is a true 5 percent to go to the truly needy, then why is this hammer over their heads to say that nobody can raise any constitutional question on the bill, no one can raise any objections or any appeals, and if they do, little children, we will take your welfare, 5 percent, away. It is only 15 cents anyway per person. Whom are we kidding? While all of us will be sitting down at Christmastime to a dinner with our families and sharing tidings of good joy and what have you, look about at those poor persons in the Commonwealth who are less fortunate than us.

Then I would say this, Mr. Speaker, that there is a different contrast between HB 720 in the original printer's number and the conference committee report. Number one, the 4 months' assistance for the transitionally needy now has been changed in the conference committee report to 1 month's assistance for those persons who are transitionally needy.

Number two, required use of savings for job programs for GA recipients and grant increases. That was in the bill and now has been changed to say, number two, provides for a conditional 5-percent grant increase and funds for only one job program. The other two job programs are not funded. This breaks the linkage between savings and the use of the savings for poor people, a contradiction. The gentleman, Mr. Punt, stood on this floor and said everything was still in the bill.

The next provision, number three, the welfare lien reform. Everyone voted on the floor of this House, and a majority of the members of this House of Representatives voted for the lien bill to be added into that as an amendment, but when it went to the conference committee, they extracted that. Why? I ask you, why? If we are going to take people off welfare and then tell them to go out and get a job and they cannot get a job, the first thing that happens is they slap a lien on their home. People who have been working for 10 or 15 years may fall in that category, as already has been done in this Commonwealth because of the 1-percent budget cutbacks and because of the layoffs as of November 12 and December 4 in this Commonwealth, where we cut people off and said that we would no longer give them a job. We took their jobs away, and after their unemployment runs out after 26 weeks, they go on welfare. That means that their houses will have liens on them now, those who own them. Is that the proper way to move on people who are trying to live in a society and be part of a mainstream of the society? Now they are being denied that, even though they have been a part of the work force for 10 or 15 years. It seems to be a basic contradiction.

Number four, to provide 3 months of assistance for those released from prison. We fought hard on this floor to put that amendment in this bill. Again, the majority of the members of this body voted to put that in, but no, not the conferees. They looked and decided that what they will do is they will take it out, so no assistance to those released from prison who are without income, which means that they will be denied an opportunity to come out of prison, even go out and try to sustain themselves, which means that the crime rate in this State is going to rise to an increasing number because of the

fact that people are going to do whatever is necessary in order to feed their families. If you do not think so, you start starving sometime. You start realizing what it means not to have a meal and then begin to wonder what you would do in the process, and I will guarantee you, like anybody else, you will do whatever is necessary to feed your family, your babies, and your children.

Number five, workfare opportunity required for all eligible GA recipients. That has been taken out to add workfare for only chronically needy, disabled, those required to be in homes to take care of others, or those over 45, and transitionally needy to those eligible for 30 days of assistance only. It is ironic that the handicapped, the people who do not have any say-so, the handicapped persons are now being extracted from this side of the bill, which means that those who fall in the category of being handicapped are now going to be taken out of the bill and put in the category of being able to receive 30 days' worth of assistance and after that no more.

Those 18 to 21 years of age are now being cut. It cuts off at the 18- to 21-year-olds, unless they have been living away from home for 12 months or if they have gotten married. Now, in most instances, you have youngsters yourselves who may fall in that category. We are saying now that we are going to boot them out in the street and tell them, you have to find a job doing something, and if you do not find a job doing anything, we are not going to give you any assistance at all, which means with the unemployment rate as it continues to rise in the Nation, where do they find jobs? It is unfair. It is unfair. It is unfair.

Number seven, allowed aid to eligible strikers. This House also decided that they would make sure that those who are eligible strikers would be able to be granted some money while they were out striking, but no, not in the wisdom of this conferees' report. It says it cuts off all aid to strikers, which means, what are people to do? What do you want them to do, get on their knees and beg you? What do you want them to do? It has gotten to the point now where you do not stand a chance. You are damned if you do and you are damned if you do not, and it is time that people start waking up and realizing that we are in a situation where we are fighting for survival. It seems that there is an annihilation, an attempt against poor people to annihilate all of them, whether they are black or white, whether they are rich, whether they are poor, whether they fall in the category of being able to receive assistance and subsist. They are being told, we do not care. The rich folks say this is the way it is going to be, and we do not care at all about what you say.

Someday in this time I grant you this, that while the horses may be there to pass HB 720 and while you may feel that you are doing the most admirable posture for your community and for your constituency, this will come back to haunt you, because one day someone in your family may fall into this very same category, and I am wondering whether or not you are willing to share whatever it is that you have to make sure that all families will eat within a block, but we are not talking about that. We said to you, give us the jobs; we will put the people to work. We do not beg for anything, and every time

we ask this administration for jobs and the Republican Party for jobs, they cannot show us where they are. When we say to you, we have gone to the newspapers, and we have broken down the six major newspapers across Pennsylvania, and we looked at where the jobs are, there are no jobs. They fall in other categories. We have people who have Ph.D. degrees in this Commonwealth with no job. What are we to do? Whom are we to go after? We are serious about our attempt to try to frame a posture, that the Governor and the Republican Party is trying to balance the backs of the poor on the budget to make sure that their budget gets balanced, but they are not concerned at all about the fact that these persons are carrying the burden now of this Commonwealth, and nobody wants to give in.

It seems to me that if there is any attempt to deal with the problems that we are faced with once and for all, here is an attempt to change that by appealing to your conscience, if you have one, by appealing to consciousness based on where we are. Think about your children, your grandchildren, your aunts and your uncles, and where they stand, and whether or not you will put yourself in the position of those grandparents who have stood and fought to make it possible for us to stand on this floor today, to make it possible that people who were the truly needy for real, who really needed to be assisted, would be assisted, but not taking their money away and snatching it away from them like we are some king or some god, because we are neither one. We are made of flesh and blood. God made all man of one flesh and blood, and it seems to me that for that reason, people on the floor of this House do not want to listen to the things that affect those persons who are the most depressed, who are the most oppressed, and who cannot fight for themselves. Well, somebody has got to stand up and fight for them.

For the record, I would like to have introduced several editorials that have been written in this Commonwealth concerning "Thornscrooge," welfare reform, whatever you want to call it. One from the Philadelphia Inquirer is called "Conference welfare bill should be turned down." Number two, channel 10 editorial, WCAU-TV, "Unemployment in Pennsylvania Welfare," which states that "Given this broad picture it seems necessary to us that Governor Thornburgh pull back from his attempt to cut off general assistance welfare. We agree that the 'able-bodied' should work. But what if there is no work? We think it is the responsibility of the state's political leadership to devise ways to help create jobs in industry. Meanwhile we can't let the unemployed—in city or country—starve. Tell Governor Thornburgh general assistance must stay until the job picture improves." The Daily News: "Thornfare's Back. The governor continues" — and I am taking excerpts from each one of these— "to promote Thornfare, as state employees film his utterances for future campaign commercials. If the Legislature doesn't finally put this ill-conceived attack on the poor to its final rest, we can expect a spate of taxpayer-funded campaign bragging of how he taught the helpless a lesson by driving them out of their 'haven.'" "Voices" from The Bulletin, an editorial that is also in that paper—and there was one that we

received this morning that I may not have a copy of, but I also will submit it at the appropriate time. The facts on "The hurt of being out of work," a family here, unemployment, a picture of a mother, of a father, and their child, who happen to be white, on the front page here of this Bulletin report showing and noting that here we are in a situation where people are out of work who are trying to find work who cannot get it. Then "Other Voices" in The Bulletin of December 15: "Behind doors, the pain will be felt but unseen," but nobody is even willing to listen to that. The Bulletin of December 16—and I read the headline— "Scrooge's welfare message."

In conclusion, Pennsylvania unemployment stands at 488,000 persons. That is 9 percent unemployment in this Commonwealth. The jobless in 21 counties are in double-digit percentages. This legislation will throw the State's unemployed to the wolves. It should be rejected.

Major organizations also in this Commonwealth have rejected HB 720: the League of Women Voters of Pennsylvania, and I submit their statement for the record; the Pennsylvania AFL-CIO, who point out there should be nonconcurrency on this conference committee report and send it back to committee; and then the Pennsylvania Catholic Conference, who also rejected that this bill should not at all stand the test and be sent back to committee, which means that there is something wrong when you can see this number of organizations who can say to you that there is something wrong with this bill, and you stand back and not pay any attention to it.

Then, Mr. Speaker, a former member of this House, who unfortunately passed away, who stood on this very same floor of this House, the *Daily News* cited him as a hero, because he had the guts and the courage to stand up. I would like to have us pause for just a moment just to think of that time when a member, who in fact was debating on the floor of this House concerning at that time HB 720, the statement of Representative Arthur Earley when he asked on that day, "Mr. Speaker?" The Chair recognized the gentleman from Delaware, Mr. Earley, and Mr. Earley said:

Mr. Speaker, I have just had to make a very difficult decision. I have had to make a decision based upon my own personal philosophy, based upon the district that I represent, based upon the broader constituency in the State of Pennsylvania.

I had preliminarily decided that inasmuch as throughout my political life I have been a team player, I was having a very difficult time not playing along with the team. But in examining what was before us and in examining what I expected to come before us, and recognizing that we had to be concerned and that I had to be concerned, and that as far as the Republican caucus is concerned I am one of the primary spokesmen for the poor and disadvantaged people of this state, not just the city of Chester, my decision had to be one that I thought would serve them the best. Therefore, I made that decision. Whether it was right or wrong, I do not know; what impact it will have on me politically, I do not know, but it is my decision, and I will stand by it. Thank you.

That vote alone was enough to cause this gentleman, in my opinion, Mr. Earley, the type of stress and pain that he went through in making that deliberation on this floor. It would seem to me that if we are concerned with making conscious decisions that are going to affect thousands of poor people across this State, particularly in recognizing that there are more white people on welfare in this Commonwealth than there are black people— And the constant attack at us always being told that it is only black people on welfare has already been delineated in my remarks. I pointed out very clearly and distinctly that those counties that I referred to basically have white persons living in them, and those persons who are going to be put on the unemployment rolls, who are already there, who are now going to be put on welfare, denied even the process of even getting a job, are going to be mostly white people.

I feel this, that if we are concerned about correcting some of those problems, maybe you need to look at your own conscience. Maybe you need to take for a moment a page out of some history that says we should be about feeding the hungry; that we should also be about making sure that we clothe the naked; that we should also be about making sure that we take care of the homeless. In that, Mr. Speaker, I would like to say I would hope that you would join me in defeating and sending back to the conference committee HB 720. Thank you very much.

#### EDITORIALS SUBMITTED FOR THE RECORD

Mr. RICHARDSON submitted editorials for the Legislative Journal.

(For editorials, see Appendix.)

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

Mrs. HARPER. Thank you, Mr. Speaker.

I tell you, it is hard for me to speak on this bill, simply because it just seems like I am wasting my time, and I do not like to waste my time and energy. But I have to speak for the people who cannot speak in this House of Representatives for themselves, and they are the poor people.

I was listening to some people last week talking about HB 720, the conference report, and I heard some people say that this bill is calling for a revolution in Pennsylvania if it is passed. I heard a woman say, as long as you give people a little relief check and some food stamps, you will keep them quiet, but if you take away those things, they will rise up. I thought about that. It is something to think about. As long as people are not hungry and cold, they will keep quiet, but if you take those basic things away from people, you are asking for trouble.

I believe in work. I have worked all my life. I am proud to have a job, and I do not believe that we should pass this bill, because we do not have anything in this bill that states that a person should be offered a job before they are taken off the relief rolls. Give the people a job. Offer them something. Give them an opportunity, and if they turn it down, then they

should be removed from the relief rolls. I believe in giving people a chance. Thank you.

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

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, this will probably be a real shock to a lot of people. I have probably, for 11 years, voted against every kind of benefit for welfare people in the House of Representatives, and I have always said that there were jobs and people should take them. I cannot believe that in the worst time in this State's history or this country's history, we have the audacity to bring a bill like this before the House of Representatives. I think that all you have to do is realize that I live in a district that has a 17.5-percent unemployment rate. My growth in general assistance in my district, and I doubt this figure, is 53.5 percent. I have tried to check, and I do not think this takes in the people that the God-almighty unemployment compensation bill also knocked out of unemployment. This does not take these people into consideration, so my growth rate would be a lot higher.

I really would like to say to you that the right thing for us to do is pass this type of legislation but not at this time. If this country cannot provide jobs for people who work and want to work every day of their lives, why would it take the food and the heat away from the people who really do not have the ability to do a lot of the types of jobs that we have in this State? I would really think that all we have to do is think to ourselves that we are well taken care of, but what about people who have worked for 25 years in a plant and that plant has closed and moved out? How about the people who do your carpentry work, your bricklaying, block laying, plumbing work, electrical work? That belongs to the housing industry, which our Governor and nobody else has tried to help for so many years it is almost impossible to believe we allow it to happen. But no, we listen to a Governor who says he has to do this. This is his "Thornfare"; this is reform. It is bull; that is what it is. I meant to say the other word with it. But I tell you now that all you people who vote for this and can go home, remember, Reaganomics is not finished yet, and that is going to take its toll also. I hope you pass it, because that will just give us the right to be back in the majority next year.

I have always stood on the side of the people who wanted to do something about reform in welfare, and I have voted with you many, many times, but I did that when I felt there were jobs that people would not take and should take. I certainly do not feel that is the situation today. If you could show me any other time in the history of this State that we had the opportunity to offer people jobs, you are telling me nothing when you tell me what kind of work program you are going to bring up. You do not even have it before us. You do not know what it is going to be. You do not know what it is going to do for those people.

I want to tell you another thing: The elderly people in this State are afraid to walk our streets today. Well, you had better get ready, because they are not even going to be allowed out of their houses if you do this. You had better believe it,

because I tell you right now, if I were taken off the welfare rolls, I would shoot your rotten butts right off if I had to feed my family.

There is no way that you can sit there and ignore what is going on today. I know, you live in a district like I live. We have promoted more jobs than probably most of you people even dreamed of. New jobs. We have lost them. We lost the old ones we had, because this is the worst time in the history of this country since World War II, and you do not want to listen to it. All we are asking you, I think, on my side I am asking you only one thing: Delay what you are doing today. Let us see if the country is going to rebound a little bit so that we have some prosperity and we can hire some people. But no, you are not going to do that. You are going to drive those people out into the street when they do not even have a chance. I do not believe you are for real, and I thought you were when I sat with you for 11 years, but I really cannot feel that. Thank you.

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

Mr. LEVIN. Thank you, Mr. Speaker.

Will Mr. Punt please stand for short interrogation?

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman, Mr. Levin, may proceed.

Mr. LEVIN. Mr. Speaker, are you aware that there are approximately 500,000 unemployed people in Pennsylvania today?

Mr. PUNT. Yes, sir.

Mr. LEVIN. Would you please explain how, if this bill is passed, society is going to deal with 68,000 people whom you are taking off the rolls of general assistance? What will happen to those people?

Mr. PUNT. Mr. Speaker, those individuals, under the confines of the conference committee report, will remain on for a year's period of time. During that time the other provisions of the bill, which are expanding our PEP (Pennsylvania employables program) program, providing moneys to obtain an education, job skills through the vocational-tech schools, through community colleges, through other programs, through tax credits, the employer in a private sector to hire these individuals, I believe that adequately addresses that.

Secondly, we speak of jobs. I believe, and I have said on this floor for the last 3 years, there is work. It may not be a career-oriented job. It may not be a job which pays what that person may think they are worth, or it may not be as attractive as the type of job that they would like to have. But other individuals are taking those types of jobs and making a career out of it. I pumped gas when I was laid off. It was not a career-oriented job, but it was work; it was something to help pay the bills.

Finally, finally, the taxpayers can no longer afford this system.

Mr. LEVIN. Okay.

May I speak, Mr. Speaker?

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

Mr. LEVIN. We have all heard Mr. Punt tell us what will happen. I would hope you would listen for just a second. I know the darn debate drones on and on and on, and everyone gets to the point where they do not want to hear any more, but how about just listening for 1 second, on my side, too, Mr. Speaker. How about it?

Let me tell you what is going to happen. It is simple; it is very simple. I will read to you from someone who said it a lot better than I can. What will happen to these people, Mr. Speaker, is they will suffer, they will be hungry, they will be cold; but one of the ironies of our society is their suffering will be out of our sight, out of the sight of the voters and the legislators. In the United States the poor and suffering people are usually invisible. That is what you are condemning them to, and that is what you are asking us to do today. Face the truth, this is a bad bill, Mr. Speaker, and it should not be promoted for political purposes. Stand up and have the courage to defeat it.

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

Mr. A. K. HUTCHINSON. May I interrogate Mr. Punt?

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman, Mr. Hutchinson, may begin.

Mr. A. K. HUTCHINSON. Mr. Speaker, say I am out of a job, do not have any money, and I go to Welfare and they say here is a job for you, or they do not have any. I decide they are not going to give me the welfare; I flunked all the tests. So my wife says she is going to look for a job, and I will watch the kids. Can I get welfare?

Mr. PUNT. Yes, Mr. Speaker, you can. If you are over the age of 45, you are automatically eligible.

Mr. A. K. HUTCHINSON. Well, let us say I am 23 and I have four kids, real boom, boom, boom, boom, bang.

Mr. PUNT. You are a fast worker, Mr. Speaker.

The SPEAKER. Mr. Hutchinson, the reporters are unable to transcribe the gestures. You will have to do that vocally.

Mr. A. K. HUTCHINSON. We will have to get on television like they had in 1977.

Getting serious now, last year the Federal Government said that if anybody was out on— Let us say I was out on strike and I went for welfare. Would I be able to get it if my wife applies for a job and I stay home and watch the kids?

Mr. PUNT. If I understood your question correctly, Mr. Speaker, the United States Congress—

Mr. A. K. HUTCHINSON. This is another question; I changed it.

What I am saying, say I was out on strike, we went to the welfare office, my wife signed up for a job, and I am going to stay home and watch the kids. Is that legal with this bill?

Mr. PUNT. The United States Congress has already made that decision and said that strikers are not eligible for welfare.

Mr. A. K. HUTCHINSON. Now, I am asking you, I know there is a loophole in some other plan that they signed last year. They said strikers were not allowed to receive food stamps. People are now applying for food stamps saying their wife works and they will watch the kids. It came out of this office over here in Welfare. So if you are leaving a loophole, then let us not fool any people.

That is enough; excuse me. May I say a few words, Mr. Speaker?

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

Mr. A. K. HUTCHINSON. No gestures.

I am no bleeding-heart liberal. I voted for all the bills for welfare reform. I think this one stinks, and I am going to vote "no." Thank you.

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

Mr. J. D. WILLIAMS. Mr. Speaker, I rise in opposition to the Conference Committee Report on HB 720. I rise, Mr. Speaker, with a heavy heart. It seems to me that we are saying that this is the season to be jolly. It seems to me that some members on both sides of the aisle will send their constituents Christmas cards this year and will say to them, Merry Christmas and Happy New Year. I wonder what kind of cards we are going to send to the 68,000 people whom we are putting off the welfare rolls. I wonder if those people will have a Merry Christmas and a Happy New Year. I think that both sides of the aisle should search their conscience, Mr. Speaker, today, and vote "no" for this piece of legislation.

Mr. Speaker, I come from a district that is corroded at the present time with crime. I have taken to the streets myself to try and fight crime in my district. When we take 68,000 people and put them into the streets and say to them that we do not have jobs to provide for them, we are only going to increase the crime rolls. I say to you, Mr. Speaker, that this is a bad piece of legislation, and I would just like to say this to those members on both sides of the aisle who would have the audacity and the nerve to support this piece of legislation: I hope that you have the strength to do it, but I also hope that the 68,000 people whom you put off the welfare rolls have enough strength to meet you in the primaries. Thank you.

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

Mr. LLOYD. Thank you, Mr. Speaker.

I gather from the votes on procedural matters that the die is cast. I am just unhappy that we have not heard any explanation of the compromises which the conference committee made. And I am sorry we have not been able to debate this issue, not hiding behind the rhetoric on one side of the aisle and the rhetoric on the other side of the aisle, but trying to deal with the real issues and, as some people have said on both sides of the aisle, some inequities that the conference committee report proposes. But so be it, Mr. Speaker; the votes are there and that is the end of it.

But if we are simply trying to save X amount of money, if that is the objective given that as the objective, it seems to me, Mr. Speaker, that there is a compromise which could have been struck in conference which would have been one which we could have lived with a lot better.

We have, in this bill, cost ourselves a lot of money by saying if you are over 45 years old, you are assumed to be pure when you come into the welfare office. You are not a shirker, and you can get chronically needy welfare assistance for as long as you want and as long as you sign up for work. We said also

that you do not have to sign up for workfare if you are 45 or more. Now, I do not know why we have made that assumption, and unfortunately, nobody who was on the conference committee seemed to think it was important enough to explain to the people of Pennsylvania, and I assume the newspapers will not think it is important enough to report tomorrow. We do not seem to be concerned with explaining why that compromise was made. But let us just assume for a minute that we undid that compromise and we said that until the age of retirement, we are not going to assume that you are pure when you walk into the welfare office; we are going to take those people out of the chronically needy category. We would save a lot of money.

The second thing which we could do, Mr. Speaker, is that if we were to say that this money could then be enhanced by undoing the compromise on the grandfather clause, what reason in God's world is there, if saving money is the objective and getting the wily welfare careerist off the welfare rolls, what is the justification—given your objectives, not mine, but yours—for taking that fellow who has a work history, who is paying taxes, and making him pay and get 30 days of relief when he would like nothing better than to have a job so he can get married and raise a family and stay in his home area, what reason is there to cut that guy off at 30 days so he can pay taxes to keep the wily welfare careerist of the majority leader on welfare to the end of this coming year? Mr. Speaker, if we cut that grandfather clause in half to 6 months, we would save a lot of money.

So now I have shown you how we can pass this bill and we can cut back the welfare rolls even more and we can save a lot of money. Now, what are we going to do with that money? What we are going to do with some of that money is apply it to take care of the person who is honest-to-God looking for work and cannot find any. And instead of giving him 1 month of transitionally needy assistance, we are going to put him on workfare for 4 months, like most of us in this House voted before and said was right. And I will bet, Mr. Speaker, that after we have done all that, we will still have some money left over, and we can either use that to balance the budget and pass out some of those business tax breaks that we voted on yesterday, or we can use that to give a different kind of business tax break, a tax break to a businessman in a high-unemployment area who wants to hire some people off the welfare rolls, and we can put the Manderino amendment back into this bill.

We can do all of those things, Mr. Speaker, and make this a bill which does not have some of those inequities in it and does not spend a dime more. We have not heard one explanation this afternoon as to why we should not do that, other than the fact that the whip has been cracked, the party line is going to be followed. Well, fellows, you have got the votes. Do whatever you want, but I for one am voting "no."

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

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

The SPEAKER. The gentleman from Franklin, Mr. Punt, indicates he will stand for interrogation. The gentleman, Mr. Laughlin, may proceed.

Mr. LAUGHLIN. Mr. Speaker, the language that is encompassed in your conference committee report specifically dealing with the requirement that certain Federal benefits be the primary source of assistance for those applying has been deleted from the bill. If you will take a look, starting on page 26, dealing with section 432.19, verification of eligibility, and coming on through, all the way up to and including line 6 of page 28, Mr. Speaker, are you familiar with where that language came from?

Mr. PUNT. Mr. Speaker, that portion is part of an amendment that you had considered once before offering but did not offer.

Mr. LAUGHLIN. Mr. Speaker, I am sorry, but apparently you are receiving inaccurate information. What it is in effect, sir, is a copy of HB 1523, of which myself and Mr. Klingaman are the prime sponsors. It was drafted from that section of the bill. Does that refresh your memory, sir?

Mr. PUNT. Which was based on the information that you did not offer.

Mr. LAUGHLIN. Well, you may phrase it "did not offer." I do not recall offering anything other than a bill, Mr. Speaker. But nonetheless, Mr. Speaker, I will resume the questioning later.

Mr. Speaker, I would like an opportunity to make a few remarks.

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

Mr. LAUGHLIN. Mr. Speaker, earlier this year, after researching the Michigan law dealing with the advisability of having applicants for public assistance be referred for SSI and RSDI (Retired survivor's disability income) programs that occurred as a demonstration program in Michigan, I presented that proposal to the Secretary of Welfare and to the chairman of the Health and Welfare Committee, Mr. Klingaman. We had agreed that this legislation, in accordance with the information we had from the Welfare Department, would save approximately \$11 million for the State of Pennsylvania over the next fiscal year, and for that reason we drafted it specifically as a bill. What has happened to that legislation is just unbelievable.

Within that proposal we had requirements for the department that they promulgate rules and regulations under which they would meet the specific requirements to save this money. What they have done is taken all of those requirements, the section dealing with that, out of the legislation we proposed, and instead merely put a superficial coverage of that protection for the \$11 million in their Conference Committee Report on HB 720, against my wishes as the prime sponsor, and I do not know if the chairman of the Welfare Committee, Mr. Klingaman, agreed or not, because I was not consulted on it and would certainly not have agreed to that.

Mr. Speaker, it comes down to the point where some of the bills that we put in are drafted as a portion of a greater objective and bill in this House, and I certainly do not take any

exception to that action. But when it is deleted, when it is watered down, when the provisions that require the department to meet those guidelines are left out, we are left instead with a hollow shell. That is what they have done with this bill. They have taken the proposal that legitimately was offered that would have helped the department and would have helped our people and given those people who justifiably deserved payments under SSI, which are greater under the Federal program, programs of the RSDI, which are also greater and would have deleted that cost from our Welfare Department, which are now being overlooked.

Mr. Speaker, I think they have done a disservice to myself and Mr. Klingaman and to those sponsors of HB 1523. I for one will not support this bill for that reason, along with a number of others that I will make clear.

Mr. Speaker, earlier this year we had also offered amendments dealing with unemployed workers. Our statement at that time was that those who had legitimately exhausted unemployment benefits after having worked at any given job where they had earned those credits would be eligible for relief under this program and would guarantee those benefits. What has happened instead is that they take a portion and say that unless you are employed 5 years—I do not know why we have a 5-year history requirement. You and I know that those who are unemployed are people who have a short-term working seniority. Those people who have been employed for 10 years or above 5 years have less of a chance of being laid off in our society today, on any given job.

I represent some 20,000 steelworkers in Beaver County in my district, and those members who have 5, 6, and 8 years are working today. Those members below that figure are not working, and they are the ones who are going to be deprived of the benefit. Those of us who offered the amendment in good faith and asked for that support now find it removed. Mr. Speaker, I ask those in this House who represent working people in this State and are concerned about providing benefits for them when their unemployment is exhausted, to vote against this legislation. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Clearfield, Mr. George.

Mr. GEORGE. Thank you, Mr. Speaker.

Mr. Speaker, I am already aware that what I say here in these next couple of moments will not in any manner, nor in any way, change the vote tabulation that is very soon to appear upon that board. Even though I did not receive many letters either for or against this measure, I feel pretty secure in that I know what my folks back home want. They want welfare reform. They want to kick those culprits off who do nothing, and I believe, Mr. Speaker, to a degree, they are right.

It was just a short time ago that this administration and many fine people who are our colleagues introduced a measure that I felt personally was a step in the right direction, a step for true welfare reform. Every time I talk to a constituent or a friend, they say the same thing - do not tell me it cannot be done; do not tell me we cannot put them out to clean the sidewalks; do not tell me we cannot fix up the parks.

Today the economy is so bad and everybody is laid off, and we cannot afford this. Washington is doing this, and Harrisburg is doing that. Now is the time to show those people who pay taxes and work every day that they are responsible, and those who are on welfare should be made responsible.

So when that bill came before us, there were many agonizing hours of argument, and I voted "yes," I believe in welfare reform. Now I look up on the board, Mr. Speaker, and I see HB 720, conference report, and I wonder what happened to the welfare reform. I wonder, Mr. Speaker, whether or not the proponents of this bill just want a bill and just want to be able to say we passed the bill or whether they in effect do legitimately want welfare reform.

I refuse to believe, Mr. Speaker, and I am not going to have the Speaker caution me, because I do not intend to impugn anybody on this floor. But you know, Mr. Speaker, just the other night while we were agonizing over another bill, some of us were arguing the point that we did not break for lunch. We were hungry. For a couple of hours, we were hungry. I daresay there have not been too many of you who have been hungry for a period of several days, and I daresay there are many of you who do not know the difference between scratching your ear and tearing it to pieces, because that is what you are going to do with this bill. There is no semblance of decency, there is no semblance of compassion, and there is no semblance of logic in this bill.

I went over and I asked the sponsor of this bill a while ago to tell me what was in it. In my opinion, there is nothing in this bill that induces people like myself who wanted welfare reform to continue to support this measure. I am not going to belabor this, Mr. Speaker. I am going to vote my conscience, and in summation I am going to say, Mr. Speaker, shame on an administration that does not care, and shame on an administration that has a part of it. Thank you very much.

#### FILMING PERMISSION GRANTED

The SPEAKER. The Chair advises the House that it has granted permission to the photographer for United Press International to photograph general activity on the floor of the House for the next 10 minutes.

#### CONSIDERATION OF HB 720 CONTINUED

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

Mr. R. C. WRIGHT. Mr. Speaker, I rise to oppose HB 720. I have only been a member of this House for 2 months and 11 days now. I have not stood up to speak on any issues, mainly because I felt that I should sit back and find out what is going on. And in fact it certainly was not my intention to rise and speak so soon in my term, except this is such an important issue that I feel it necessary that I must address this.

Now, I believe, as I think everyone else in the House believes, that able-bodied people should work. However, I think there must be jobs there for them if they are going to work, and as I read HB 720, there is no guarantee at all that



there will be any jobs. We already suffer from very high unemployment, and I think one basic thing that we have to realize is that with every man and woman the strongest instinct is the law of survival. Regardless of what we do here today, every citizen of this Commonwealth is going to try to survive. If there is not a job available for them—and I do not think there will be when we pass or if we pass this legislation—then I think these people are going to come to us. Certainly if they cannot come to us legally, then they will come to us illegally. It puts me in mind of a Fram oil filter commercial that I saw on television where the mechanic says, you can pay me now or you can pay me later. And I am afraid if we do not provide for these people now, we certainly will be paying for this later.

One thing I have noticed since being here in the House, and this bill really brings it to point, is that there is a noted inconsistency in the actions that we have taken. We have passed mandatory sentencing for certain crimes. I certainly feel that if this bill is passed, we are going to increase the crime rate. We cannot help but do it, because people will rob and steal before they will starve and die.

Another piece of important legislation that was just passed last week was the antiabortion legislation. I see that antiabortion legislation in connection with what we are dealing with today, and again I see some inconsistency. In the abortion issue I believe that most of the children or fetuses that would have been aborted probably would be unwanted in the first place. The bottom line in the antiabortion legislation is going to be—and I do not think anyone can argue against it—there are going to be more citizens of this Commonwealth, but there are not going to be any more jobs. It seems to me if we are going to make this Commonwealth a place where there are going to be more people living in it, we certainly ought to do something about providing for those people, and I do not see where this legislation in any way helps.

The only thing I can say is, certainly this is not a black-and-white issue. As I see it, it is a people issue. And that is what we should be about, representing people. I believe that HB 720 is not addressing the problem in the proper manner. It seems as though to me until we are sure that there are going to be jobs available for these able-bodied people, we certainly should not cut them off and then let them flounder for themselves. Thank you, Mr. Speaker.

The SPEAKER. Does the gentleman, Mr. Manderino, desire recognition?

Mr. MANDERINO. Mr. Speaker, will the gentleman, Mr. Punt, consent to interrogation?

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

Mr. MANDERINO. Mr. Speaker, I had indicated on prior debate on this bill that a true workfare bill I could support. And there are provisions for workfare in this bill. Am I correct?

Mr. PUNT. Yes, Mr. Speaker.

Mr. MANDERINO. Mr. Speaker, it is my understanding that the workfare in this bill would require those transitionally needy persons to register for the program. Is that correct?

Mr. PUNT. That is one of the provisions. Yes, sir.

Mr. MANDERINO. That is one of the provisions, that a transitional needy person must register for the workfare program.

Mr. PUNT. That is one of the provisions.

Mr. MANDERINO. How long will that transitionally needy person, if eligible in all other respects, be placed on a workfare program?

Mr. PUNT. Those who are presently on the rolls who would be classified as transitionally needy would remain and participate in a workfare program for the period of a year unless they secured employment in the private sector elsewhere.

Secondly, for those new individuals who apply for public assistance who would be classified as transitionally needy, they would be a participant of a workfare program for that 30-day period of a cash assistance allowance.

Mr. MANDERINO. Are we then asking the members of this House to vote for a bill which grants a transitionally needy person only 1 month of welfare benefits and for that 1 month we are going to set up a workfare program where he works for that 30 days?

Mr. PUNT. No, Mr. Speaker. You do not understand the workfare provisions. That is one category that you are trying to use and trying to—

Mr. MANDERINO. I understand that that is one category but—

Mr. PUNT. Right.

Mr. MANDERINO. —but that person only gets 1 month's check, and he is going to work for 1 month. Do you not think that we are going to have more administrative costs in setting up for that 1 month's work, assigning that person, finding out what he is qualified for, sending him down on the job, keeping the records that he did do it? Are we not going to spend more money than he is going to receive in that 1 month in doing that?

Mr. PUNT. Mr. Speaker, let me answer your question.

Mr. MANDERINO. Yes, please.

Mr. PUNT. Those individuals who would fall into the public assistance category, whether it be transitionally needy, whether it be under the Federal program, whether it be under the chronically needy category, and who are able-bodied would be required to participate in workfare programs so long as they were on public assistance.

Secondly, the program is intact. We are not incorporating a whole new program for people just for a 30-day period of time. This is a program that is intact and implemented on a wide range, on a wide scale, and those individuals who fall into that category would be participants within that existing structure.

Mr. MANDERINO. But for those persons whom we term "transitionally needy," this bill will give one check 1 month a year. They will work 1 month a year in a workfare program, and we will keep records on them, and we will assign them work, and we will interview them to make sure that they are assigned the proper work. That is correct. My understanding of the bill, so far as those transitionally needy, is correct, is it not?



Mr. PUNT. That is correct, Mr. Speaker—

Mr. MANDERINO. That is correct.

Mr. PUNT. —but that is a limited portion and you know it, and the taxpayers' dollars are footing the bill for the program as it is, and what we are attempting to do is to implement a workfare program to respond to those needs to benefit those communities, not only in that 30-day period of time, as you are trying to emphasize is the largest amount of people.

Mr. MANDERINO. My question was, was that provision and my understanding of that provision correct, and I think you said it was. I will ask you about the reasons that those provision are in the bill, but that is a question that I will ask just in a few minutes, if you will bear with me.

Mr. Speaker, do I also understand that the work program, the registration for the work program, in the bill also will require AFDC mothers whose children have attained the age of 6 years to register for the program and continue to work, if they are all otherwise eligible, so long as they want to receive benefits for themselves and the children?

Mr. PUNT. It need not be mother; it can be caretaker.

Mr. MANDERINO. Caretaker. It may be caretaker; it may be whoever is taking care of a child. As soon as that child becomes 6, to continue to receive welfare for the child and for the caretaker, the caretaker if able-bodied must go to work.

Mr. PUNT. That is the workfare program the United States Congress has passed and permitted Pennsylvania to do.

Mr. MANDERINO. All right. I understand that, but that is what this bill says.

What is the theory behind, in your opinion, those who advocate that one should work in order to receive the welfare stipend?

Mr. PUNT. We believe that for the benefit of the public who is supporting the bill, there should be some public good done.

Mr. MANDERINO. I understand. Now, the chronically needy are a different category in the bill. Is that right?

Mr. PUNT. That is correct, Mr. Speaker.

Mr. MANDERINO. And one of the descriptions of the chronically needy is, one who is chronically in need is a person who has a work record of 5 years previous to applying for welfare and who has exhausted unemployment compensation benefits. Is that correct?

Mr. PUNT. That individual is chronically needy and is eligible for public assistance.

Mr. MANDERINO. Mr. Speaker, are we talking about two eligibility requirements? He must be chronically needy or/and must be unemployed, exhausted unemployment compensation benefits, and previously employed for a 5-year period?

Mr. PUNT. Yes, sir. Being unemployed is one of the criteria used which the conference committee put in as eligibility for the chronically needy category.

Mr. MANDERINO. What I am trying to ask you is, that criteria about unemployment and 5 years' employment, must he also be chronically in need or does that define him as chronically in need?

Mr. PUNT. Mr. Speaker, would you rephrase that?

Mr. MANDERINO. Well, let us go to the provision of the bill so maybe I can more easily let you understand what I am asking about. I think we are on page 4 of the bill. No, on page 12 of the bill, sir, page 12 of the bill, item (I), as in "image." "Any person who does not otherwise qualify as chronically needy, and who is receiving general assistance— " No, no, we are in the wrong— I am sorry; it is (H).

Mr. PUNT. Page 11, line 29, I think you might be leaning toward.

Mr. MANDERINO. No. Page 12, line 3, item (H), as in "Happy days are here again." "(H) Any person who has previously been employed full time for a period of five years or more and has exhausted their unemployment compensation benefits." Is that person chronically needy?

Mr. PUNT. Yes, Mr. Speaker.

Mr. MANDERINO. So if he meets that criteria, he does not also have to be chronically needy; that makes him chronically needy.

Mr. PUNT. That would be chronically needy.

Mr. MANDERINO. All right. I wanted to understand that, because at the beginning of that section it talks about chronically needy as a person who is chronically in need and fits one of these definitions. I just wanted to make sure we were not asking for a double standard there. But in any event, these persons now who are chronically needy, who have been employed, in answer to one of the questions from a previous speaker on this side of the aisle, you indicated that that employment did not have to be necessarily the previous 5 years, the 5 years immediately before the application for unemployment compensation benefits that have now been exhausted. Is that correct?

Mr. PUNT. If he has exhausted his unemployment compensation benefits, he would be eligible, sir.

Mr. MANDERINO. He would be eligible if he had previously been employed full time for 5 years. And I am trying to understand what being employed previously full time for 5 years means. Does it mean that immediately before the application for benefits that are now exhausted under the unemployment compensation law, immediately before that time 5 years had to be in full-time employment? Or does it mean, as you indicated earlier, that that 5-year employment may have extended over a 20-year period, but in that 20-year period he had 5 years of full-time employment?

Mr. PUNT. Mr. Speaker, this is over a pattern, a work history, a person has shown an interest, a desire, in fact has had full-time employment, has shown a work history, a pattern. This idea was drafted in the conference committee, drafted and based upon the gentleman, Mr. Murphy's amendment and his idea.

I thought it was a very good idea that we should address the needs of these individuals, and we certainly do not want to create any inconveniences or hardships upon them. They are good, decent, hard-working people, and through no fault of their own, their jobs may have been—

Mr. MANDERINO. I understand your great compassion for these people. What I am really trying to understand is, who are these people? That is what I am trying to understand.

I am trying to understand whether or not these people whom you have such great compassion for are people who have been employed 5 years full time in a 20-year period, or must they have been employed 5 years, those 5 years being immediately preceding their application for benefits?

Mr. PUNT. Mr. Speaker, the type of people who you are trying to understand fall into this category are the type of people who are in Mr. Letterman's district in Piper Aircraft. These are the type of people who would fall into this category.

Mr. MANDERINO. Now, I do not know those people, and I do not know whether or not those people have 5 years of continuous employment or anything near continuous employment immediately before their unemployment compensation benefits were exhausted, or whether they might be people who worked 1 year in 1932, another year in 1937, 2 years between 1942 and 1944, and 1 year before they just dropped off benefits last week. Do you understand? That is 5 years' full-time employment previously also. I just want to know which of the people are entitled to be called chronically needy.

Mr. PUNT. Mr. Speaker, we can come up with all types of examples, and that is why we put legislative oversight in here that it can be determined properly.

Mr. MANDERINO. Well, if your copout is going to be legislative oversight, let me not try to elicit more. Let me go on to the next question.

The next question would be: Whether or not these people are people whom I described who have 5 years' continuous employment or whether they had 5 years' employment since 1932, whether or not they are in either of those categories, why is it that we do not require them to register to work and to be in an employables program to remain eligible for assistance?

Mr. PUNT. We would hope that they would be participating. They are able-bodied and they would be capable.

Mr. MANDERINO. But they are not required to go into the workfare program under this bill. They are chronically needy, and the chronically needy do not participate in workfare. And I am asking you, why is it that you do not feel that those able-bodied citizens—able-bodied, demonstrated their able-bodiedness, I guess, because they just exhausted their unemployment compensation benefits—why do they not have to register for workfare?

Mr. PUNT. Mr. Speaker, if you would like to expand the definition of these categories, then introduce the legislation.

Mr. MANDERINO. I would love to be able to improve this bill, and that is what we tried to do earlier when we wanted to recommit it to conference. I am simply trying to understand from you whether or not the discrepancies and the bad drafting of this bill, as I see it and many of the other members see it, you will admit to, and obviously you are admitting to it, but yet you will not, because of the (I) for "image," Mr. Speaker.

Mr. PUNT. Mr. Speaker, you are opposed to this, but if you look back, you voted for this very same amendment in the past, and so did Representative Lloyd, so did Representative Letterman and a number of others, but now you are opposed to it.

Mr. MANDERINO. I am opposed to this amendment in the context of this bill on the conference committee report, because I do not understand who is covered. And I do not believe I voted for the same amendment in the same category of chronically needy as this particular amendment puts it.

Mr. PUNT. Mr. Speaker, I am sorry you do not understand. You do not understand, because you do not want to understand, sir.

Mr. MANDERINO. No, I do want to understand. If you want to enlighten me on anything, I will let you do that. But I do want to make a statement after you have enlightened me.

The SPEAKER. The gentleman is in order to make a statement on the question before the House, which is the adoption of the conference committee report.

Mr. MANDERINO. I thought Mr. Punt wanted to make another comment in answer to my questions prior to my making that comment, Mr. Speaker.

Mr. PUNT. Mr. Speaker, as I said a moment ago, this amendment is the amendment that was offered, which you voted in favor of.

Mr. MANDERINO. Mr. Speaker, I would ask every member of the House to vote against this conference committee report. I would have rather that this House recommitted this bill to a conference committee so that they could straighten out some of the problems that we see.

#### PARLIAMENTARY INQUIRY

Mr. MANDERINO. Mr. Speaker, may I parenthetically interrupt myself to inquire under parliamentary inquiry whether or not a motion could be renewed to recommit this to conference?

The SPEAKER. Mr. Manderino, the Chair is of the opinion that it would not be proper at this time to renew the motion to recommit the bill to the conference committee inasmuch as there has been no intervening business, there have been no amendments, and we are at the same stage of the bill, which is considering the bill for adoption or nonadoption of the conference committee report.

Mr. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, then I would like to take just a few moments to ask every member of this House to vote against HB 720 and the conference report before us.

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

Mr. MANDERINO. Mr. Speaker, the gentleman, Mr. Levin, talked about what would happen to these people who are now going to be taken, whether they are put on the rolls for 1 month and given workfare for a month or whether we do not set up a workfare program because we decided under the regulations it is going to be too costly for at least those individuals. And for all other individuals who will no longer be able to receive welfare in Pennsylvania, we ask the question—Mr. Levin asked the question—what is going to happen to these people? Given the fact that the economy is as bad as it is and there are some 500,000 people already looking for jobs - unemployed with probably greater work skills, probably

greater work experience probably better health, probably any number of reasons recommending them more to the labor market and to the employers than persons who have been on welfare - already these people are looking for employment and cannot find it; already 21 counties in the Commonwealth outside of Allegheny and Philadelphia are having double-digit unemployment in the past year.

Mr. Speaker, what is going to happen to these people, as Mr. Levin indicated, is one of two things. It has got to be one of two things. Either they are going to go out and find a job, or somebody else is going to take care of them. If they find a job, presumably they will be able to take care of themselves. The reality of them finding a job is very, very slim. The probability of that happening, with so many ahead of them in the labor market with skills, some even with 2 and 3 years of college, and some with college educations out there unable to find employment, is pretty slim. And you have got to admit that to yourself if you are at all reasonable about what we are doing. We are saying to those people, go out and get a job to take care of yourself, when we know the jobs are not there. All we are saying what will happen to them in the alternative is that somebody else is going to take care of them. And if we learned anything from the great depression in the thirties, any more or less severe depressions or recessions that we have had since then and that we are in right now, we have learned that the private sector is just unable or unwilling to exercise the responsibility to shoulder the burden of taking care of so many people who are unable to be employed and who are unable to take care of themselves. It just will not happen.

What Mr. Levin says is what will happen - there will be hunger and there will be cold and there will be misery - and all of that because Mr. Punt and others, in my opinion, mistakenly perceive an opinion in the people of Pennsylvania that we can no longer carry the burden of the poor, and I do not think the people are saying that to us. I do think the people are saying that we want abuse stopped, that we want fraud stopped, that we want reasonable programs for the poor and disadvantaged. I think that people are saying that able-bodied persons ought to work for what they receive. It is a measure of stopping fraud, it is a measure of stopping abuse, that if we put able-bodied citizens to work in meaningful programs, that not only will society benefit, not only will the worker who contributes every day with his paycheck to the taxes of the Treasury, not only will he receive the benefit of the work programs that will be instituted, but he will also receive the benefit of the welfare rolls being cut by those people who do not belong on the rolls who are abusing the system.

Mr. Speaker, many of us could vote for that kind of a program. Many of us thought we were voting for that kind of a program when we voted for HB 720 before. I had an amendment adopted at that time that I thought ensured that no one—and it was adopted by this House—would be taken from his welfare stipend unless he were offered a job and he refused to do it. Now, that is what our people want us to do. They do not want us to balance the budget. They do not want us to tighten the belt on the backs of the poor, and that is what we are doing with this bill today. We are balancing Pennsylvania's

out-of-balance budget, and we are tightening the belt in Pennsylvania fiscally on the backs of the poor and disadvantaged. I call for a negative vote for that kind of proposition. Thank you, Mr. Speaker.

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

Mr. PUNT. Mr. Speaker, as we close the debate on the Conference Report on HB 720, the opponents who have been here before constantly have tried to display that this is uncompassionate, that this is inhumane. Nothing is further from the truth. We are taking care of the truly needy, of the poor. This is the vote to test if you are for welfare reform or not - to take the chiselers, the people from Alabama who come up and apply, take them off the rolls and put welfare into the perspective of what it should be, of what it should have been.

A vote for this bill, the conference report, is a vote against welfare fraud, a vote for the taxpayers of this State, a vote for workfare. I would ask for adoption of the conference report.

The SPEAKER. Does the gentleman, Mr. Richardson, now desire recognition?

Mr. RICHARDSON. Yes, I do.

Just in conclusion, Mr. Speaker, I just want to say that while we stand here and talk about welfare reform, this is not welfare reform. It is a lie to stand on this floor and indicate that it is. This bill talks about taking away moving allowances for people in the need of emergency, and as far as I am concerned, what we should do is junk the bill and throw it away. That is what we should do with this bill, and I ask for a negative vote on HB 720.

On the question recurring,

Will the House adopt the report of the committee of conference?

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

YEAS—120

Alden	Durham	Lashing	Rybak
Anderson	Fargo	Lescovitz	Salvatore
Armstrong	Fischer	Levi	Saurman
Arty	Fleck	McCall	Serafini
Belardi	Foster, W. W.	McClatchy	Showers
Belfanti	Foster, Jr., A.	McVerry	Sieminski
Bittle	Frazier	Mackowski	Sirianni
Blaum	Freind	Madigan	Smith, B.
Bowser	Fryer	Manmiller	Smith, E. H.
Boyes	Gallen	Marmion	Smith, L. E.
Brandt	Gamble	Merry	Snyder
Burd	Gannon	Miller	Spitz
Burns	Geist	Moehlmann	Stairs
Caltagirone	Gladeck	Morris	Stevens
Cessar	Grabowski	Mowery	Suban
Cimini	Greenwood	Murphy	Swift
Civera	Grieco	Nahill	Taylor, E. Z.
Clymer	Gruitza	Noye	Taylor, F. E.
Cochran	Gruppo	Perzel	Telek
Cole	Hagarty	Peterson	Trello
Cornell	Hasay	Petrone	Vroon
Coslett	Hayes	Phillips	Wass
Cunningham	Heiser	Piccola	Wenger
DeVerter	Honaman	Pitts	Weston
Daikeler	Hutchinson, W.	Pott	Wilson
Davies	Jackson	Pratt	Wright, J. L.
Dietz	Johnson	Punt	Zwinkl
Dininni	Kanuck	Rasco	
Donatucci	Kennedy	Reber	Ryan,
Dorr	Klingaman	Ritter	Speaker

Duffy	Kowalyshyn		
<b>NAYS—68</b>			
Berson	George	Maiale	Seventy
Borski	Gray	Manderino	Shupnik
Cappabianca	Haluska	Michlovic	Steighner
Cawley	Harper	Miscevich	Stewart
Clark	Hoefel	Mrkonic	Swaim
Cohen	Horgos	Mullen	Sweet
Colafella	Hutchinson, A.	O'Donnell	Tigue
Cordisco	Itkin	Olasz	Van Horne
Cowell	Kolter	Oliver	Wachob
DeMedio	Kukovich	Pendleton	Wambach
DeWeese	Laughlin	Petrarca	Wargo
Dawida	Letterman	Pistella	Wiggins
Deal	Levin	Pucciarelli	Williams, H.
Dombrowski	Livengood	Rappaport	Williams, J. D.
Evans	Lloyd	Richardson	Wozniak
Fee	Lucyk	Rieger	Wright, D. R.
Gallagher	McMonagle	Rocks	Wright, R. C.

**NOT VOTING—6**

Beloff	Greenfield	Spencer	Taddonio
Emerson	Micozzie		

**EXCUSED—8**

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the committee of conference was adopted.

Ordered, That the clerk inform the Senate accordingly.

**RULES SUSPENDED**

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

Mr. DOMBROWSKI. Mr. Speaker, I ask that the House suspend its rules for the purpose of immediately considering a resolution.

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

The following roll call was recorded:

**YEAS—179**

Alden	Fischer	Livengood	Saurman
Anderson	Fleck	Lloyd	Serafini
Armstrong	Foster, W. W.	McCall	Seventy
Arty	Foster, Jr., A.	McClatchy	Showers
Belardi	Frazier	McMonagle	Shupnik
Belfanti	Freind	McVerry	Sieminski
Beloff	Fryer	Mackowski	Sirianni
Berson	Gallagher	Madigan	Smith, B.
Bittle	Gallen	Maiale	Smith, E. H.
Blaum	Gamble	Manderino	Smith, L. E.
Borski	Gannon	Manmiller	Snyder
Bowser	Geist	Merry	Spitz
Boyes	George	Michlovic	Stairs
Brandt	Gladeck	Micozzie	Steighner
Burd	Grabowski	Miller	Stevens
Burns	Gray	Miscevich	Stewart
Caltagirone	Greenwood	Morris	Stuban
Cawley	Grieco	Mowery	Swaim
Cessar	Gruitza	Mullen	Sweet
Cimini	Gruppo	Murphy	Swift
Civera	Hagarty	Nahill	Taddonio
Clark	Haluska	Noye	Taylor, E. Z.
Clymer	Harper	O'Donnell	Taylor, F. E.
Cochran	Hasay	Oiasz	Telek

Cohen	Hayes	Oliver	Tigue
Colafella	Heiser	Pendleton	Trello
Cordisco	Hoefel	Perzel	Van Horne
Cornell	Honaman	Peterson	Vroon
Coslett	Horgos	Petrarca	Wachob
Cowell	Hutchinson, A.	Petrone	Wambach
Cunningham	Hutchinson, W.	Phillips	Wargo
DeMedio	Jackson	Piccola	Wass
DeVerter	Johnson	Pistella	Wenger
DeWeese	Kanuck	Pitts	Weston
Daikeler	Kennedy	Pott	Wiggins
Davies	Klingaman	Pratt	Williams, H.
Dawida	Kolter	Pucciarelli	Wilson
Dietz	Kowalyshyn	Punt	Wozniak
Dininni	Kukovich	Rappaport	Wright, D. R.
Dombrowski	Lashinger	Rasco	Wright, J. L.
Donatucci	Laughlin	Rieger	Wright, R. C.
Dorr	Lescovitz	Ritter	Zwinkl
Duffy	Letterman	Rocks	
Durham	Levi	Rybak	Ryan,
Evans	Levin	Salvatore	Speaker
Fee			

**NAYS—0**

**NOT VOTING—15**

Cappabianca	Fargo	Marmion	Richardson
Cole	Greenfield	Moehlmann	Spencer
Deal	Itkin	Mrkonic	Williams, J. D.
Emerson	Lucyk	Reber	

**EXCUSED—8**

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

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

**RESOLUTION ADOPTED**

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

Mr. DOMBROWSKI. Mr. Speaker, I offer the following resolution.

The following resolution was read:

WHEREAS, Recently martial law was declared in the Nation of Poland; and

WHEREAS, Associated Press reports indicate that thousands of striking Polish workers were appealing for worldwide support to keep the martial law regime from strangling "a budding democracy in the heart of Europe"; and

WHEREAS, The closing of the borders due to the invocation of martial law will only worsen the long standing food shortages; therefore be it

RESOLVED, That the House of Representatives lends its support to the people of Poland in this time of extreme crisis and encourages the residents of Pennsylvania to keep the Polish people in their thoughts during this holiday season.

- Bernard J. Dombrowski
- Michael M. Dawida
- Stephen S. Grabowski
- Robert A. Borski, Jr.
- Edward J. Haluska
- John N. Wozniak
- Ronald R. Cowell
- William Telek
- William D. Mackowski
- Edmund J. Sieminski
- Paul Wass

Frank J. Pistella  
 Robert P. Horgos  
 Edward J. Lucyk  
 Richard D. Olasz  
 John F. Cordisco  
 Ralph D. Pratt  
 Thomas C. Petrone  
 Peter C. Wambach, Jr.  
 Robert E. Belfanti, Jr.  
 Italo S. Cappabianca  
 John R. Showers  
 Thomas J. McCall  
 Kenneth J. Cole  
 Ted Stuban  
 Robert C. Donatucci  
 Joseph P. Kolter  
 Gerald F. McMonagle  
 James J. Manderino  
 Clifford Gray, Jr.

On the question,  
 Will the House adopt the resolution?  
 Resolution was adopted.

**RESOLUTION ADOPTED**

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

Mr. DEAL. Mr. Speaker, I submit the following resolution under the same suspension of the rules.

The following resolution was read:

**House Resolution No. 142**

WHEREAS, In the House of Representatives, The Federal Voting Rights Act was enacted by Congress in 1965; and

WHEREAS, This act protects constitutionally guaranteed voting rights by prohibiting racial discrimination and the use of literacy tests in relation to voting nationwide, and by requiring certain State and local governments to clear any new or changes in voting procedures with the Department of Justice, and to provide assistance to nonenglish speaking voters; and

WHEREAS, The temporary provisions of this act are due to expire August 6, 1982; and

WHEREAS, This act is the most successful civil rights law ever passed; and

WHEREAS, This act is currently before the Senate for consideration, having passed the House of Representatives; therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania hereby memorializes the Senate of the United States to extend all of the temporary provisions of the Federal Voting Rights Act; and be it further

RESOLVED, That a copy of this resolution be immediately transmitted to the President pro tempore of the United States Senate and to the Majority and Minority leaders of the Senate and to each Senator from Pennsylvania.

Alphonso Deal  
 David P. Richardson, Jr.  
 Edward A. Wiggins  
 James D. Barber  
 Dwight Evans  
 Frank Louis Oliver  
 William J. Stewart  
 Peter C. Wambach, Jr.  
 Russell Kowalyshyn  
 William C. Rybak  
 Roger F. Duffy

Robert P. Horgos  
 Terry E. Van Horne  
 Clifford Gray, Jr.  
 James M. McIntyre  
 William W. Rieger  
 Robert C. Donatucci  
 Allen G. Kukovich  
 Ruth B. Harper  
 James J. Manderino  
 Bernard J. Dombrowski  
 Frank A. Salvatore  
 Bert C. Daikeler  
 George E. Saurman

On the question,  
 Will the House adopt the resolution?  
 Resolution was adopted.

**RESOLUTION ADOPTED**

Mr. CLARK called up **HR 130, PN 2616**, entitled:

General Assembly memorialize Congress oppose any reduction of the level of operation of the Allegheny River Navigation System.

On the question,  
 Will the House adopt the resolution?

Mr. OLASZ offered the following amendments No. A5587:

Amend First Whereas Clause, page 1, line 2, by striking out "River" and inserting

, Monongahela and Ohio Rivers

Amend First Whereas Clause, page 1, line 3, by striking out "System" and inserting  
 Systems

Amend Third Whereas Clause, page 1, line 7, by striking out "River" and inserting

, Monongahela and Ohio Rivers

Amend Third Whereas Clause, page 1, line 7, by striking out "System" and inserting  
 Systems

Amend First Resolved Clause, page 2, line 1, by striking out "River" and inserting

, Monongahela and Ohio Rivers

Amend First Resolved Clause, page 2, line 1, by striking out "System" and inserting  
 Systems

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

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

Mr. OLASZ. Mr. Speaker, as opposed to submitting a separate resolution for the Monongahela and the Ohio Rivers, I have offered this amendment to incorporate into HR 130.

The importance of this, Mr. Speaker, is that if you choke the river lanes of western Pennsylvania, you strangle the economy.

I would ask the support of this House. Thank you.

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

(A roll-call vote was taken. See later roll call.)

On the question,

Will the House adopt the resolution as amended?

(A roll-call vote was taken. See later roll call.)

### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE CONSIDERED

The clerk of the Senate, being introduced, returned the following **HB 930, PN 2646**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending the "Housing Finance Agency Law," approved December 3, 1959 (P. L. 1688, No. 621), providing for the issuance of tax-free mortgage revenue bonds to encourage housing within the Commonwealth.

On the question,

Will the House concur in Senate amendments?

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

Mr. L. E. SMITH. Mr. Speaker, I suggest that the House concur in the amendments inserted by the Senate.

Mr. Speaker, I have to make a statement, because nonconcurrence was my original plan for this bill, but I want the membership to understand that we are going to now suggest concurrence in the Senate amendments for a couple of reasons. One, the most important reason is, the Governor cannot extend his executive order beyond December 31, 1981. So in order that we do not derail this legislation or endanger it, with the agreement of Representative Manderino, we have agreed to attempt to concur in the Senate amendments.

The Senate took out the two limits that we put in before the bill left the chamber. One limit was on the subsidy that the agency could provide, and the other was the limit on the interest rate at which they could sell the bonds. With the agreement and understanding of Representative Manderino, we are going to introduce a separate piece of legislation to take care of that problem. Therefore, we would ask for concurrence today.

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin.

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

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman, Mr. Laughlin, may proceed.

Mr. LAUGHLIN. Mr. Speaker, before I vote on concurrence or nonconcurrence, since this was an original concept that we had offered some 4 years ago in providing subsidies for housing in this State, I want to be sure of what the gentleman is saying about the removal of the amount of subsidy that the provision would require. Are you saying then, Mr. Speaker, that there will be no ceiling on the amount of money that can be given to an individual, or are you saying that the amount of money for any specific home is being restricted based on price? Can you clarify that for me, please?

Mr. L. E. SMITH. Mr. Speaker, I am sorry if I misled the gentleman. The two limits we are talking about are, one, the amount of subsidy that the agency could spend out of their

general fund to subsidize a bond issue. That was a limit that we put in. The Senate took it out. We are going to attempt to restore a limit with a separate piece of legislation. The other limit that the Senate took out was the 13-percent limit we put on what the bonds could be sold for, and the Senate removed that at the suggestion of bond counsel. We have worked it out with the agency, and we are going to restore that limit in a separate piece of legislation.

Mr. LAUGHLIN. Well, Mr. Speaker, certainly none of us want to halt the opportunity in this State for people to receive the benefit of subsidized funds from PHFA (Pennsylvania Housing Finance Agency) for housing. However, with the lack of restriction as far as the amount of money to be provided and the size of the home to be purchased, it is not a bill that has really met the requirement that we had set originally. However, I, like you, do not wish to see this held up, and I will certainly vote in concurrence.

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

Mr. BURD. Thank you, Mr. Speaker.

I would only hope that the colleagues in the House would concur in the Senate amendments on HB 930. Thank you.

The SPEAKER. Does the gentleman from Somerset, Mr. Lloyd, desire recognition?

Mr. LLOYD. Yes, Mr. Speaker.

The SPEAKER. The gentleman is in order and may proceed. The question is on concurrence.

Mr. LLOYD. Mr. Speaker, will the gentleman, Mr. Smith, consent to answer a few questions, please?

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman, Mr. Lloyd, may proceed.

Mr. LLOYD. Mr. Speaker, one of the issues that we debated when we passed the House version of this bill had to do with the breakdown in allocation, how much was to go into rehabilitation and how much was to be made available for new housing. Mr. Speaker, did any of the Senate amendments make any change in that allocation?

Mr. L. E. SMITH. No, Mr. Speaker.

Mr. LLOYD. So then, Mr. Speaker, there is nothing in this bill which has been changed which would in any way vary how much money goes into the rural part of the State as opposed to how much money goes into the suburban and urban areas?

Mr. L. E. SMITH. No, Mr. Speaker. The formula was not tinkered with in the Senate.

Mr. LLOYD. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Laughlin, for the second time on the question.

Mr. LAUGHLIN. Mr. Speaker, one other question of the gentleman, Mr. Smith.

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman, Mr. Laughlin, may proceed.

Mr. LAUGHLIN. Mr. Speaker, you may recall the concern that I had mentioned earlier when Representative Rocks had proposed the provision that those cities of the third class with 50,000 population or above would be eligible to take part in the program and handle their own program, and yet those counties of the fourth class with 200-and-some-odd thousand

would be denied that opportunity under the amendment he had offered and the proposal that was offered at that time.

Now, I was told early on that there was some kind of conclusion reached in the Senate on wording that would still provide the counties of the fourth class and those counties with above 50,000 the opportunity to handle their program. Is that still encompassed in this bill, Mr. Speaker?

Mr. L. E. SMITH. Mr. Speaker, I really cannot answer the question, and I did not bring my file down. But as far as the changes that the Senate made, the two major changes were the removal of the limitations we put in. The rest of the changes were rather minor and did not include the subject that the gentleman is asking about.

Mr. LAUGHLIN. Mr. Speaker, are you saying that the new proposal and the new bond issue that would be offered by PHFA would be endangered, that the legislature could not enact their own bill that would provide for this opportunity if we do not pass this bill right now?

Mr. L. E. SMITH. No, Mr. Speaker, I did not say that. I said we are going to advance a bill immediately that will restore those two limits.

Mr. LAUGHLIN. All right, Mr. Speaker. Maybe in those two bills we can also address the other mistakes, if that is what you want to do then. Thank you.

Mr. L. E. SMITH. I am sure you will.

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

Mr. DORR. Mr. Speaker, will the gentleman from Jefferson consent to interrogation?

The SPEAKER. The gentleman indicates he will stand for interrogation. The gentleman, Mr. Dorr, may begin.

Mr. DORR. Mr. Speaker, would the gentleman indicate whether, on page 5 of the bill, subparagraph (6) was in the bill when it left the House?

Mr. L. E. SMITH. Mr. Speaker, could the gentleman give me the line he is referring to?

Mr. DORR. Line 28.

Mr. L. E. SMITH. Okay. I do not have the bill, but I have an excerpt regarding the amendments. Perhaps I can answer from this, so would you pose your question?

Mr. DORR. I am wondering whether that subparagraph was added by the Senate. It begins, "If six (6) months after the amount allocation the agency determines a reallocation would better achieve state housing policy objectives,..." et cetera.

Mr. L. E. SMITH. I am not clear on the question.

Mr. DORR. Was that added by the Senate?

The reason for the question, Mr. Speaker, is that in the bill as we have it before us, an arrow appears in the margin, and that to my mind tells me that that is an amendment which was added by the Senate. I am just trying to verify that.

Mr. L. E. SMITH. That is true. I will read the explanation that was given to me as a reason for the change, and this applies to line 23 and line 28 as well. "The twelve month period was changed to six months due to restrictions in the Federal Mortgage Subsidy Bond Tax Act. It is feared that if a full twelve months were to pass and all of the proceeds were

not turned into mortgages, the remaining time allowed by the Federal Act would be inadequate for reallocation. The result of that would be forcing the Agency to recall Bonds." And line 28: "The reasons here are similar to those for the change immediately above," —which is line 23— "it eases the reallocation so that the Agency can be assured the money is used for mortgages."

Mr. DORR. Am I in order to make a statement, Mr. Speaker?

The SPEAKER. The gentleman is in order.

Mr. DORR. Mr. Speaker, one of my concerns with this legislation from the outset has been the allocation of money throughout the State, similar to the concern just expressed by the gentleman from Somerset, Mr. Lloyd. The gentleman from Somerset asked the chairman of the committee whether the Senate had made any changes in that allocation procedure, and in fact it is my opinion, Mr. Speaker, that the answers to my questions just elicited from the chairman would indicate that in fact the Senate has made another change. What the Senate has done is to turn that decision back over to the executive branch of government.

Now, I think the bill was bad enough in that respect from the outset, but for the Senate to go one step further and say if the agency determines, well, Mr. Speaker, I think the agency will determine, and the formulas worked out by compromise after lengthy discussions with members of this House and the Senate back before the House passed the bill will be out the window within 6 months even more probably than they would have been under the bill as we passed it here, which had a 12-month procedure for certain types of reallocations. We add a new paragraph for other types of reallocations and say that the executive branch of government can do that at the end of 6 months. I do not like that procedure. I suggest, Mr. Speaker, that for that reason alone we ought to nonconcur in the amendments of the Senate, and I would urge a negative vote.

The SPEAKER. The Chair recognizes the gentleman from Lancaster, Mr. Armstrong.

Mr. ARMSTRONG. Thank you, Mr. Speaker.

Could I interrogate a couple of the sponsors here?

The SPEAKER. The gentleman is in order. Mr. Smith will stand for interrogation.

Mr. ARMSTRONG. A few questions I would like answered just for myself. How many dollars are we talking about raising here? Do you have any idea - 1 year, 2 years, 10 years down the road? How many total dollars are we talking about raising through bonds?

Mr. L. E. SMITH. We are limited by the Federal act to a percentage of existing mortgages in the Commonwealth, and I think—do not hold me—it is an average of the past 3 years. I am not exactly sure of the percentage, but we are talking overall. Pennsylvania's overall limit would be in the neighborhood of \$230 million for new and rehabilitation.

Mr. ARMSTRONG. Okay, \$230 million.

What would be the rating of these bonds? Do you have any idea?

Mr. L. E. SMITH. No. That will be determined by the bond market when the bonds are ready for sale.

Mr. ARMSTRONG. What type of backing do these bonds have?

Mr. L. E. SMITH. Just the mortgages.

Mr. ARMSTRONG. Just the house itself, in other words.

Are these 95-percent mortgages?

Mr. L. E. SMITH. Mr. Speaker, I cannot really answer that question, because these mortgages will be handled by local lending institutions, and I presume that the restrictions placed on them will be very similar to what would be in the market at that time. I guess they possibly could be 90-percent mortgages. I do not know of any restriction that would prohibit a 90-percent mortgage.

Mr. ARMSTRONG. Does the State have any moral obligation behind this at all, Pennsylvania?

Mr. L. E. SMITH. No. The faith and credit of the Commonwealth would not be pledged.

Mr. ARMSTRONG. Are these mortgages assumable?

Mr. L. E. SMITH. No, they would not be assumable.

Mr. ARMSTRONG. What would be the average length of the bonds? Do you have any idea? Are we talking about 10-year maturity, 20-year, 30-year, 40-year?

Mr. L. E. SMITH. For rehabilitation it would be 15 years, and for residential purchases it would be 30-year bonds.

Mr. ARMSTRONG. If a mortgage is paid off, and in 4 years or 5 years someone sells their house and it is not assumable, where does that money go? Does it go into escrow to pay off bonds or just go in escrow to accumulate interest?

Mr. L. E. SMITH. Yes, it would go to the agency for the redemption of the bonds.

Mr. ARMSTRONG. Of the bonds that were issued, not other bonds in PHFA or any other bonds that they issued? Just these particular bonds?

Mr. L. E. SMITH. Right.

Mr. ARMSTRONG. Who determines who gets the mortgage? If there are 100 people who want a mortgage and there are only 10 mortgages, who determines who gets the 10 mortgages?

Mr. L. E. SMITH. The local issuing agency.

Mr. ARMSTRONG. Do farmers qualify?

Mr. L. E. SMITH. There will be promulgated by the agency some income limits and asset limitations. I guess if a farmer qualifies, if he falls under those limits, I see no reason why he would not qualify.

Mr. ARMSTRONG. So in your opinion, you feel the farmers would qualify for a mortgage?

Mr. L. E. SMITH. I am sorry, Mr. Speaker. I missed the last question.

Mr. ARMSTRONG. In your opinion, you feel the farmers would qualify?

Mr. L. E. SMITH. Yes.

Mr. ARMSTRONG. Okay. Does anyone have any idea what it would cost right now, what percent it would cost to float bonds right now, what percent they would have to pay to float bonds? If you were to come out with \$100 million today or 2 months from now, let us say today, do they have any idea what interest rate they would have to charge to sell those bonds?

Mr. L. E. SMITH. Yes. That market has been tested a couple of times just recently, and it is just slightly over 13 percent.

Mr. ARMSTRONG. If they came out at 13 percent, then the mortgage would be what, 14 1/2 percent?

Mr. L. E. SMITH. Possibly.

Mr. ARMSTRONG. Are they talking roughly about a point-and-a-half spread between what the cost of money is and the mortgage? Is that a good rule of thumb?

Mr. L. E. SMITH. In today's market I think that is realistic.

Mr. ARMSTRONG. Will these bonds be callable in any length of time? Will they be 5-year callable or 10-year callable? Do you have any idea?

Mr. L. E. SMITH. I do not know that.

Mr. ARMSTRONG. Another question: Would these bonds be competitive or negotiated? When these bonds come to the market, would they be negotiated or would they be competitively bid? In other words, when they are competitively bid, you do not know who is going to get the underwriting until the day they come. If they are negotiated, that means that a bond dealer has already been determined, appointed by the PHFA or the regional lender, and they are the ones appointed. Is there anything in the provision that says that these will be competitive or negotiated?

Mr. L. E. SMITH. Mr. Speaker, do not hold me to this, but I think that they are required to be negotiated.

Mr. ARMSTRONG. If they are negotiated, that means that some brokerage house is appointed, so we have to be very careful on that.

What would happen if in today's money market—it is so volatile—if we come out with a 13-percent cost of money to float these bonds and the interest rates fall drastically, and the mortgage rate is now 13 percent or 13 1/2 percent for a regular mortgage—

The SPEAKER. Will the gentleman yield?

The Chair has been lenient. The Chair believes that the question before the House being on concurrence, the debate essentially should be in the area of the amendments inserted by the Senate that we are now being asked to concur in. With that cautionary note, the Chair recognizes the gentleman, Mr. Armstrong.

Mr. ARMSTRONG. I just wanted it for the record, Mr. Speaker, because they were not brought out the original time they were on the floor. No one discussed them, and there are questions I asked in the meantime. I guess I should have asked them at that time, but, if you remember back, it was done quite hurriedly and it was late, and everyone wanted to get out of here.

I am through with the interrogation. May I speak to the bill, sir?

The SPEAKER. The gentleman is in order to speak on the question of concurrence in the amendments inserted by the Senate to HB 930.

Mr. ARMSTRONG. Thank you, Mr. Speaker.

I feel perhaps we should nonconcur and take another look at this in the conference committee. There are a lot of ques-



tions that I would like answered myself, and we are talking about a large amount of money, \$230 million. We just talked last night about \$25 million, and we went on and on for hours and hours about \$25 million, a 1-percent cut in the budget. Now we are talking \$230 million. I feel we had better just take another look at it, sir. Thank you.

The SPEAKER. On the question of concurrence, the Chair recognizes the gentleman, Mr. Lloyd.

Mr. LLOYD. Mr. Speaker, would the gentleman, Mr. Smith, consent to interrogation?

The SPEAKER. The gentleman, Mr. Smith, will consent to interrogation. The gentleman, Mr. Lloyd, may proceed.

Mr. LLOYD. Mr. Speaker, am I correct that the Governor's program for a \$300-million bond issue this year for the revenue bond mortgage was determined not to be feasible and, therefore, the bonds were not sold? Is that correct?

Mr. L. E. SMITH. No; I do not think that is correct at all.

The SPEAKER. The gentleman will yield.

The question before the House is on concurrence in the amendments inserted by the Senate.

Mr. LLOYD. Mr. Speaker, let me explain and lay the foundation for what I want to know. There is a provision in this bill, as the gentleman, Mr. Dorr, brought out on interrogation, which was added by the Senate, which allows the Senate to make a change. Now, Mr. Speaker, we have been told that the reason why we have to concur in this bill is really twofold: one, because the Senate has gone home—and I do not know if that is true or not, and I would like somebody to say it on the record—two, because we have been told that even though we were not able to float any bonds this year, the law has been changed to let us carry that over to next year, and if we do not vote to concur, we lose the benefit of that carryover. If that is true, then reluctantly I want to concur, but I would like somebody to explain that on the record.

The SPEAKER. Is the gentleman, Mr. Smith, able to answer the question by the gentleman from Somerset?

Mr. L. E. SMITH. Mr. Speaker, the Governor's authority with his executive order ends on December 31 of this year, and there cannot be a carryover.

I want to correct one answer that I gave to Representative Armstrong. The amount that I gave him was \$240 million; it is actually \$340 million.

Mr. LLOYD. So then, Mr. Speaker, there is no way, if we do not pass this bill, that we can preserve anything from this year and carry it over until next year.

Mr. L. E. SMITH. That is true.

Mr. LLOYD. And if we concur in this bill with this bad Senate language, does that give us any right to carry anything over until next year?

Mr. L. E. SMITH. No, Mr. Speaker.

Mr. LLOYD. So in other words, if we vote to nonconcur because along with Mr. Dorr we do not like that Senate language, we are not losing anything at all.

Mr. L. E. SMITH. Mr. Speaker, that is not true. We are going to lose the ability for the agency to go out and begin to hold their lenders' conferences, because without this legislation, the lenders will not participate. What we are trying to

save here is that period of time, because the critical time that we are shooting for is when the building season starts in April and May, and if we delay this another 5 weeks, we are going to move that back into June or July and miss a good part of the beginning of the building season.

Mr. LLOYD. Mr. Speaker, will you promise that the legislation which is introduced to correct these flaws in the Senate bill will take out that language which gives the agency the right to supersede all of the allocation formulas that we have written into the bill? Will you make the commitment that the bill that you introduce will take out that Senate language?

Mr. L. E. SMITH. Mr. Speaker, the commitment that I have made and the agreement I have with Representative Manderino is we are going to move legislation which will restore the two limits that I spoke of earlier that the Senate took out. That is all I am going to get involved in personally.

Mr. LLOYD. So then, Mr. Speaker, the answer to my question is no, you do not intend to introduce any legislation to take out that bad language?

Mr. L. E. SMITH. That is correct.

Mr. LLOYD. Thank you.

Mr. Speaker, may I be recognized to speak on the bill?

Mr. L. E. SMITH. Mr. Speaker, would the gentleman clarify what he is referring to as bad language? I am not sure that we are talking about the same thing.

Mr. LLOYD. Mr. Speaker, we are talking—

The SPEAKER. The gentleman will yield.

Will the gentlemen please wait until they are recognized?

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

Mr. LLOYD. Mr. Speaker, the language we are talking about is the language which Mr. Dorr pointed out, which is on page 5 of the bill as amended by the Senate, starting on line 28.

Mr. L. E. SMITH. Mr. Speaker, I am satisfied with the explanation that has been given to me about why that language was changed, and I do not intend to personally get involved in that.

Mr. LLOYD. Thank you, Mr. Speaker.

May I be recognized on the bill?

The SPEAKER. The gentleman is in order to speak to the question of concurrence.

Mr. LLOYD. Mr. Speaker, I agree with the gentleman, Mr. Dorr, and urge nonconcurrence.

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

Mr. GEIST. Thank you, Mr. Speaker.

During the long journey of this piece of legislation through the House and Senate, the third-class cities, one of which I represent, were very interested in seeing the passage of this legislation. There was much political compromise that went into this piece of legislation, especially on the disbursement formula. It is a very good piece of legislation for those of us who want to see moneys go into our third-class cities, and I would urge at this time that we do not fool around and lose these moneys and that we vote for concurrence.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—181

Alden	Fleck	McClatchy	Saurman
Anderson	Foster, W. W.	McMonagle	Serafini
Arty	Foster, Jr., A.	McVerry	Seventy
Belardi	Frazier	Mackowski	Showers
Belfanti	Freind	Madigan	Shupnik
Beloff	Fryer	Maiale	Sieminski
Berson	Gallagher	Manderino	Sirianni
Bittle	Gallen	Manmiller	Smith, E. H.
Blaum	Gamble	Marmion	Smith, L. E.
Borski	Gannon	Merry	Snyder
Bowser	Geist	Michlovic	Spitz
Boyes	George	Micozzie	Stairs
Brandt	Gladeck	Miller	Steighner
Burd	Grabowski	Miscevich	Stevens
Burns	Gray	Moehlmann	Stewart
Caltagirone	Greenwood	Morris	Stuban
Cappabianca	Grieco	Mowery	Swaim
Cessar	Gruitza	Mrkonic	Sweet
Cimini	Gruppo	Mullen	Swift
Civera	Hagarty	Murphy	Taddonio
Clark	Haluska	Nahill	Taylor, E. Z.
Clymer	Harper	Noye	Taylor, F. E.
Cohen	Hasay	O'Donnell	Telek
Colafrilla	Hayes	Olasz	Tigue
Cordisco	Heiser	Oliver	Trello
Cornell	Hoefel	Pendleton	Van Horne
Coslett	Honaman	Perzel	Vroon
Cowell	Horgos	Peterson	Wachob
Cunningham	Hutchinson, W.	Petrarca	Wambach
DeMedio	Itkin	Petrone	Wargo
DeVerter	Jackson	Phillips	Wass
DeWeese	Johnson	Piccola	Wenger
Daikeler	Kanuck	Pistella	Weston
Davies	Kennedy	Pitts	Wiggins
Dawida	Klingaman	Pott	Williams, H.
Deal	Kolter	Pratt	Williams, J. D.
Dietz	Kowalshyn	Punt	Wilson
Dininni	Lashinger	Rappaport	Wozniak
Dombrowski	Laughlin	Rasco	Wright, D. R.
Donatucci	Lescovitz	Reber	Wright, J. L.
Duffy	Letterman	Richardson	Wright, R. C.
Durham	Levi	Rieger	Zwikl
Evans	Levin	Ritter	
Fargo	Livengood	Rocks	Ryan,
Fee	Lucyk	Rybak	Speaker
Fischer	McCall	Salvatore	

NAYS—8

Armstrong	Cole	Hutchinson, A.	Lloyd
Cawley	Dorr	Kukovich	Smith, B.

NOT VOTING—5

Cochran	Greenfield	Pucciarelli	Spencer
Emerson			

EXCUSED—8

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the clerk inform the Senate accordingly.

VOTES RETAKEN ON  
HR 130 AND AMENDMENTS

The SPEAKER. It is necessary for us to take the vote over on HR 130, together with the amendments offered by the gentleman, Mr. Olasz.

The first vote taken will be on the amendment offered by the gentleman, Mr. Olasz, which has already been read by the clerk.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—189

Alden	Fee	Lloyd	Salvatore
Anderson	Fischer	Lucyk	Saurman
Armstrong	Fleck	McCall	Serafini
Arty	Foster, W. W.	McClatchy	Seventy
Belardi	Foster, Jr., A.	McMonagle	Showers
Belfanti	Frazier	McVerry	Shupnik
Beloff	Freind	Mackowski	Sieminski
Berson	Fryer	Madigan	Sirianni
Bittle	Gallagher	Maiale	Smith, B.
Blaum	Gallen	Manderino	Smith, E. H.
Borski	Gamble	Manmiller	Smith, L. E.
Bowser	Gannon	Marmion	Snyder
Brandt	Geist	Michlovic	Spitz
Burd	George	Micozzie	Stairs
Burns	Gladeck	Miller	Steighner
Caltagirone	Grabowski	Miscevich	Stevens
Cappabianca	Gray	Moehlmann	Stewart
Cawley	Greenwood	Morris	Stuban
Cessar	Grieco	Mowery	Swaim
Cimini	Gruitza	Mrkonic	Sweet
Civera	Gruppo	Mullen	Swift
Clark	Hagarty	Murphy	Taddonio
Clymer	Haluska	Nahill	Taylor, E. Z.
Cochran	Harper	Noye	Taylor, F. E.
Cohen	Hasay	O'Donnell	Telek
Colafrilla	Hayes	Olasz	Tigue
Cole	Heiser	Oliver	Trello
Cordisco	Hoefel	Pendleton	Van Horne
Cornell	Honaman	Perzel	Vroon
Coslett	Horgos	Peterson	Wachob
Cowell	Hutchinson, A.	Petrarca	Wambach
Cunningham	Hutchinson, W.	Petrone	Wargo
DeMedio	Itkin	Phillips	Wass
DeVerter	Jackson	Piccola	Wenger
DeWeese	Johnson	Pistella	Weston
Daikeler	Kanuck	Pitts	Wiggins
Davies	Kennedy	Pott	Williams, H.
Dawida	Klingaman	Pratt	Williams, J. D.
Deal	Kolter	Pucciarelli	Wilson
Dietz	Kowalshyn	Punt	Wozniak
Dininni	Kukovich	Rappaport	Wright, D. R.
Dombrowski	Lashinger	Rasco	Wright, J. L.
Donatucci	Laughlin	Reber	Wright, R. C.
Dorr	Lescovitz	Richardson	Zwikl
Duffy	Letterman	Rieger	
Durham	Levi	Ritter	Ryan,
Evans	Levin	Rocks	Speaker
Fargo	Livengood	Rybak	

NAYS—0

NOT VOTING—5

Boyes	Greenfield	Merry	Spencer
Emerson			

EXCUSED—8

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

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

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

The following roll call was recorded:

YEAS—186

Alden	Fee	Lloyd	Salvatore
Anderson	Fischer	Lucyk	Saurman
Armstrong	Fleck	McCall	Serafini
Arty	Foster, W. W.	McClatchy	Seventy
Belardi	Foster, Jr., A.	McMonagle	Showers
Belfanti	Frazier	McVerry	Shupnik
Beloff	Fryer	Mackowski	Sieminski
Berson	Gallagher	Madigan	Sirianni
Bittle	Gallen	Maiale	Smith, B.
Blaum	Gamble	Manderino	Smith, E. H.
Borski	Gannon	Manmiller	Smith, L. E.
Bowser	Geist	Marmion	Snyder
Brandt	George	Michlovic	Spitz
Burd	Gladeck	Micozzie	Stairs
Burns	Grabowski	Miller	Steighner
Caltagirone	Gray	Miscevich	Stevens
Cappabianca	Greenwood	Moehlmann	Stewart
Cawley	Grieco	Morris	Stuban
Cessar	Gruitza	Mowery	Swaim
Cimini	Gruppo	Mrkonic	Sweet
Civera	Hagarty	Mullen	Swift
Clark	Haluska	Murphy	Taddonio
Clymer	Harper	Nahill	Taylor, E. Z.
Cochran	Hasay	Noye	Taylor, F. E.
Colafella	Hayes	O'Donnell	Telek
Cole	Heiser	Olasz	Tigue
Cordisco	Hoeffel	Oliver	Trello
Cornell	Honaman	Pendleton	Van Horne
Coslett	Horgos	Perzel	Vroon
Cowell	Hutchinson, A.	Peterson	Wachob
Cunningham	Hutchinson, W.	Petrarca	Wambach
DeMedio	ftkin	Petrone	Wargo
DeVerter	Jackson	Phillips	Wass
DeWeese	Johnson	Piccola	Wenger
Daikeler	Kanuck	Pistella	Weston
Davies	Kennedy	Pitts	Wiggins
Dawida	Klingaman	Pott	Williams, H.
Deal	Kolter	Pratt	Williams, J. D.
Dietz	Kowalyshyn	Punt	Wilson
Dininni	Kukovich	Rappaport	Wozniak
Dombrowski	Lashingier	Rasco	Wright, D. R.
Donatucci	Laughlin	Reber	Wright, J. L.
Dorr	Lescovitz	Richardson	Wright, R. C.
Duffy	Letterman	Rieger	Zwikel
Durham	Levi	Ritter	
Evans	Levin	Rocks	Ryan,
Fargo	Livengood	Rybak	Speaker

NAYS—0

NOT VOTING—8

Boyes	Emerson	Greenfield	Pucciarelli
Cohen	Freind	Merry	Spencer

EXCUSED—8

Barber	Irvis	Lewis	Pievsky
Brown	Lehr	McIntyre	Wogan

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

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

REMARKS ON VOTE

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

Mr. FREIND. I missed that last vote. If I had voted, I would have voted in the affirmative on HR 130.

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

QUESTION OF PERSONAL PRIVILEGE

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

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

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

Mr. DAVIES. Mr. Speaker, earlier in the day the lady from Philadelphia drew my attention to the classy red and white uniforms of the fine choral group from Chambersburg. In the meantime I carefully pored over HB 2097, of which the lady from Philadelphia is a sponsor. That bill calls for the complete reorganization of the Philadelphia School District, and nowhere in that bill does it call for either a dress code or uniform dress. Thank you, Mr. Speaker.

REQUEST FOR RECESS AND REPUBLICAN CAUCUS

The SPEAKER. The Chair recognizes the majority leader.

Mr. HAYES. Thank you, Mr. Speaker.

It will be necessary for the House to recess for a period of one-half hour. I would like to meet with the Republican Representatives. Thank you, Mr. Speaker.

REMARKS ON VOTES

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

Mr. CUNNINGHAM. Examination of the printouts demonstrates that I am not recorded, erroneously I should say, on the Conference Committee Report on HB 428 and the Conference Committee Report on HB 33. I would like to be recorded in the negative on HB 33 and in the affirmative on HB 428. Thank you.

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

The Chair recognizes the minority whip.

Mr. MANDERINO. Mr. Speaker, I do not believe that it is necessary for the Democrats to caucus, but we are coming back to the floor here in one-half hour.

The SPEAKER. The gentleman is correct.

Mr. MANDERINO. I would suggest that they not leave until the House has adjourned today.

**RECESS**

The SPEAKER. Without objection, this House will stand in recess until 6:25 p.m. The Chair hears no objection.

**AFTER RECESS**

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

**ANNOUNCEMENT BY SPEAKER**

The SPEAKER. While the Chair is awaiting arrival of the majority leader, the Chair takes this opportunity to announce to the members that we will adjourn tonight to return on January 5 for a token session. Under the Constitution, it is required that this House open on that particular day. The adjournment motion, however, will have a provision in it that the Speaker might recall the House. At the moment it is unlikely that that will happen. Unless you hear to the contrary, the first voting day will be Monday, the 18th of January.

**BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED****HB 118, PN 2710 (Amended) (Unanimous)**

By Rep. DORR

An Act amending the "Lethal Weapons Training Act," approved October 10, 1974 (P. L. 705, No. 235), exempting certain retired police officers from certain requirements.

**PROFESSIONAL LICENSURE.****HB 1190, PN 2711 (Amended) (Unanimous)**

By Rep. DORR

An Act amending "The C.P.A. Law," approved May 26, 1947 (P. L. 318, No. 140), providing exceptions for certain prohibitions relating to the use of fictitious names.

**PROFESSIONAL LICENSURE.****HB 1413, PN 2712 (Amended) (Unanimous)**

By Rep. DORR

An Act amending the "Medical Practice Act of 1974," approved July 20, 1974 (P. L. 551, No. 190), further providing for the definitions of foreign medical college and clinical clerk and further establishing standards for medical training and facilities.

**PROFESSIONAL LICENSURE.****HB 2000, PN 2713 (Amended) (Unanimous)**

By Rep. DORR

An Act regulating the practice of architecture in the Commonwealth of Pennsylvania; providing for the examination and licensure of architects by a State Architects Licensure Board and providing penalties.

**PROFESSIONAL LICENSURE.****BILLS REMOVED FROM TABLE FOR CALENDAR**

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

HB 1182;  
HB 1670;  
HB 1671;  
HB 1674;  
HB 1766;  
HB 178; and  
HB 1739.

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

**REPORT FROM RULES COMMITTEE****BILLS REMOVED FROM TABLE FOR CALENDAR**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. HAYES. Mr. Speaker, the Rules Committee has instructed me to make a motion to remove the following bills from the table and place them on the active calendar, and I so move:

HB 1604;  
HB 1814;  
HB 1850;  
HB 1969;  
HB 1972;  
SB 635;  
SB 805; and  
HB 754.

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

**COMMUNICATION****LOBBYIST LIST PRESENTED**

The SPEAKER. The Chair acknowledges receipt of a communication from Mark R. Corrigan, the Secretary of the Senate, dated December 16, 1981, which will be made part of the record.

The following communication was read:

Senate of Pennsylvania  
December 16, 1981

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

In compliance with Act No. 712 of the 1961 Session and Act No. 212 of the 1976 Session of the General Assembly titled the "Lobbying Registration and Regulation Act," we herewith jointly present a list containing the names and addresses of the persons

who have registered from October 27, 1981 through December 15, 1981 inclusive for the 165th Session of the General Assembly. This list also contains the names and addresses of the organizations represented by these registrants.

Respectfully submitted:  
Mark R. Corrigan  
Secretary of the Senate  
John J. Zubeck  
Chief Clerk  
House of Representatives

(For list, see Appendix.)

### SENATE MESSAGE

#### AMENDED HOUSE BILLS RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 191, PN 2684; HB 239, PN 2620; HB 554, PN 2685; and HB 1643, PN 2643**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

The SPEAKER. The bills will appear on the calendar.

### BILL SIGNED BY SPEAKER

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

#### HB 930, PN 2646

An Act amending the "Housing Finance Agency Law," approved December 3, 1959 (P. L. 1688, No. 621), providing for the issuance of tax-free mortgage revenue bonds to encourage housing within the Commonwealth.

### SENATE MESSAGE

#### HOUSE AMENDMENTS NONCONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 1, PN 1458**.

#### MOTION INSISTING UPON AMENDMENTS

Mr. DORR moved that the House insist upon its amendments nonconcurred in by the Senate to SB 1, PN 1458, and that a committee of conference on the part of the House be appointed.

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

#### APPOINTMENT OF COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on SB 1, PN 1458:  
Mr. DORR, Miss SIRIANNI and Mr. KUKOVICH.  
Ordered, That the clerk inform the Senate accordingly.

### SENATE MESSAGE

#### HOUSE AMENDMENTS NONCONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 16, PN 1472**.

#### MOTION INSISTING UPON AMENDMENTS

Mr. DININNI moved that the House insist upon its amendments nonconcurred in by the Senate to SB 16, PN 1472, and that a committee of conference on the part of the House be appointed.

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

#### APPOINTMENT OF COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on SB 16, PN 1472:  
Messrs. DININNI, GEIST and KOLTER.  
Ordered, That the clerk inform the Senate accordingly.

### SENATE MESSAGE

#### HOUSE AMENDMENTS NONCONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 514, PN 1447**.

#### MOTION INSISTING UPON AMENDMENTS

Mr. A. C. FOSTER moved that the House insist upon its amendments nonconcurred in by the Senate to SB 514, PN 1447, and that a committee of conference on the part of the House be appointed.

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

#### APPOINTMENT OF COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on SB 514, PN 1447:  
Messrs. A. C. FOSTER, GREENWOOD and LEVIN.  
Ordered, That the clerk inform the Senate accordingly.

### SENATE MESSAGE

#### HOUSE AMENDMENTS NONCONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has nonconcurred in the amendments made by the House of Representatives to **SB 725, PN 1423**.

## MOTION INSISTING UPON AMENDMENTS

Mr. GALLEN moved that the House insist upon its amendments nonconcurrent in by the Senate to SB 725, PN 1423, and that a committee of conference on the part of the House be appointed.

On the question,

Will the House agree to the motion?

Motion was agreed to.

APPOINTMENT OF  
COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on SB 725, PN 1423:

Messrs. GALLEN, MOWERY and RAPPAPORT.

Ordered, That the clerk inform the Senate accordingly.

## SENATE MESSAGE

HOUSE AMENDMENTS  
NONCONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has nonconcurrent in the amendments made by the House of Representatives to **SB 919, PN 1494**.

## MOTION INSISTING UPON AMENDMENTS

Mr. WENGER moved that the House insist upon its amendments nonconcurrent in by the Senate to SB 919, PN 1494, and that a committee of conference on the part of the House be appointed.

On the question,

Will the House agree to the motion?

Motion was agreed to.

APPOINTMENT OF  
COMMITTEE OF CONFERENCE

The SPEAKER. The Chair appoints as a committee of conference on the part of the House on SB 919, PN 1494:

Messrs. WENGER, PITTS and COLE.

Ordered, That the clerk inform the Senate accordingly.

## BILLS PASSED OVER

The SPEAKER. Without objection, the following bills which were passed over temporarily will be passed over for today: SB 306; SB 1095; and HB 2110. The Chair hears no objection.

## ADJOURNMENT

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

Mr. SNYDER. Mr. Speaker, I move that this House do now adjourn until Tuesday, January 5, 1982, at 12 m., e.s.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 7:06 p.m., e.s.t., the House adjourned.