

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal

TUESDAY, FEBRUARY 5, 1985

SESSION OF 1985

169TH OF THE GENERAL ASSEMBLY

No. 8

HOUSE OF REPRESENTATIVES

The House convened at 10:30 a.m., e.s.t.

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

PRAYER

REV. DR. DAVID R. HOOVER, chaplain of the House of Representatives, from McConnellsburg, Pennsylvania, offered the following prayer:

Everlasting Father, it is with singleness of purpose and dedicated conviction that we turn to Thee this day. We ask that Thou wilt be with the people of this great Commonwealth and impart to these stewards of Thine a portion of Thy divine wisdom and a share of Thy discerning spirit. As they face the financial problems which confront them and prepare a budget for the State of Pennsylvania, we humbly pray that they may give thought to the complex difficulties they encounter, that they may decide upon each line item with candor, and that they may complete their task with the confidence of a job well done. To Thee belongs the majesty, the praise, and the adoration both now and forevermore. Amen.

PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was enunciated by members.)

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Monday, February 4, 1985, will be postponed until the Journal is in print. The Chair hears no objection thereto.

HOUSE BILLS INTRODUCED AND REFERRED

No. 168 By Representatives CAPPABIANCA, TIGUE, FISCHER, BOYES, WAMBACH, CIVERA, GEORGE, DOMBROWSKI, HALUSKA, ANGSTADT, BELARDI, J. L. WRIGHT, BELFANTI, MAIALE, HOWLETT, OLIVER, BOOK, F. E. TAYLOR, PETRARCA, COLAFELLA, PRESTON, MICHLOVIC, WOZNIAK, JOHNSON, PRATT, OLASZ, FEE, STABACK, DONATUCCI, TRELLO,

MORRIS, KASUNIC, TELEK, BLAUM, LINTON and RYBAK

An Act providing for the designation by taxpayers on State income tax forms for the use of certain funds for a program to assist the needy in paying their heating bill; and making an appropriation.

Referred to Committee on FINANCE, February 5, 1985.

No. 169 By Representatives POTT, PETRARCA, BURD, CESSAR, OLASZ, McVERRY, GEIST, VROON, MACKOWSKI, BRANDT, REINARD and BOOK

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction, reconstruction, improvement, operation and maintenance of toll roads and the conversion of existing toll-free roads to toll roads in Pennsylvania; providing for the reorganization of the Pennsylvania Turnpike Commission; conferring powers and imposing duties on the Pennsylvania Turnpike Commission; * * * and authorizing the Secretary of Transportation to enter into agreements on behalf of the Commonwealth and the commission with the United States Department of Transportation, the Federal Highway Administration or any other Federal agency with respect to obtaining Federal funds for resurfacing, restoring, rehabilitating or reconstructing toll roads in Pennsylvania.

Referred to Committee on TRANSPORTATION, February 5, 1985.

No. 170 By Representatives IRVIS, ITKIN, DOMBROWSKI, GALLAGHER, STUBAN, MORRIS, HONAMAN, COLE, DURHAM, WASS, RYBAK, CESSAR, OLIVER, VAN HORNE, FEE, VROON, PUNT, CIVERA, CIMINI, POTT, DeVERTER, D. W. SNYDER, NAHILL, GRUPPO, ARTY, LASHINGER, PHILLIPS, E. Z. TAYLOR, FISCHER, MRKONIC, PRATT, GRUITZA, PISTELLA, WAMBACH, LETTERMAN, COWELL, GAMBLE, TRELLO, McCALL, BLAUM, BOOK, BURD, MILLER, LEVIN, DUFFY and HAYES

An Act making an appropriation to the Pennsylvania Association for the Blind and its branches.

Referred to Committee on APPROPRIATIONS, February 5, 1985.

No. 171 By Representatives DeLUCA, KASUNIC, COWELL, KUKOVICH, LINTON,

WILSON, DeWEESE, GEIST,
VAN HORNE, J. L. WRIGHT,
HALUSKA, BALDWIN, DAVIES, ARTY,
PETRARCA, MAIALE, DALEY,
HERMAN, ANGSTADT, NAHILL, PUNT,
RYBAK, COLAFELLA, BELFANTI,
HOWLETT, JOHNSON, FISCHER,
SWEET, DAWIDA, CORNELL, RUDY,
MAYERNIK, E. Z. TAYLOR, PRESTON,
CIVERA, HERSHEY, POTT, FREIND,
KOSINSKI, BOOK, MICOZZIE,
MICHLOVIC, FLICK, ITKIN,
MARKOSEK, FREEMAN, CORDISCO,
McVERRY, McCALL, BURD, ACOSTA,
PRATT, BELARDI, PISTELLA,
MRKONIC, OLASZ, STEVENS, CIMINI,
TELEK and JOSEPHS

An Act amending the act of March 11, 1971 (P. L. 104, No. 3), known as the "Senior Citizens Rebate and Assistance Act," increasing eligibility under the property tax or rent rebate and inflation dividend.

Referred to Committee on FINANCE, February 5, 1985.

No. 172 By Representatives AFFLERBACH,
COWELL, PRESTON, DeLUCA,
KUKOVICH, PISTELLA, DeWEESE,
BATTISTO, LLOYD, DALEY, KOSINSKI,
JAROLIN, PRESSMANN and MORRIS

An Act amending the "Public Official and Employee Ethics Law," approved October 4, 1978 (P. L. 883, No. 170), further restricting the activities of elected public officials.

Referred to Committee on STATE GOVERNMENT, February 5, 1985.

No. 173 By Representatives AFFLERBACH,
LAUGHLIN, FREEMAN, KOSINSKI,
JAROLIN, RYBAK, FISCHER, FATTAH,
E. Z. TAYLOR and MERRY

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, defining the term "public utility" to include sanitary landfills.

Referred to Committee on CONSUMER AFFAIRS, February 5, 1985.

No. 174 By Representatives PRATT,
HUTCHINSON, IRVIS, MANDERINO,
COLAFELLA, LESCOVITZ, BURD,
GRUITZA, FEE, BOOK, FARGO,
LIVENGOOD, KASUNIC, LLOYD,
OLASZ, F. E. TAYLOR, CLARK,
LAUGHLIN, KUKOVICH, RYBAK,
AFFLERBACH, HALUSKA, SWEET,
MAIALE, CALTAGIRONE, DeLUCA,
PERZEL, PETRARCA and WOZNIAK

An Act to facilitate vehicular traffic across the Commonwealth by providing for the construction, operation and maintenance of turnpike extensions and improvements; conferring powers and imposing duties on the Pennsylvania Turnpike Com-

mission; authorizing the issuance of turnpike revenue bonds, notes or other obligations of the Commonwealth, payable solely from revenues of the commission, including tolls, or from such funds as may be available to the commission for that purpose, to pay the cost of such turnpikes; * * * granting certain powers and authority to municipalities and agencies of the Commonwealth to cooperate with the commission; and authorizing the issuance of turnpike revenue refunding bonds.

Referred to Committee on TRANSPORTATION, February 5, 1985.

No. 175 By Representatives ITKIN, SAURMAN,
TRELLO, MORRIS, GREENWOOD,
SEVENTY, LEVIN, NOYE, HAGARTY,
KOSINSKI, DALEY, E. Z. TAYLOR,
SHOWERS, KUKOVICH, MILLER,
BARBER, DeLUCA, HONAMAN,
WILSON, BOOK, FOX, FLICK,
D. R. WRIGHT, BUSH, GAMBLE,
LAUGHLIN, OLIVER, FREEMAN,
PRESSMANN, ARTY, SEMMEL, PUNT,
RAYMOND, MERRY, DISTLER,
PRESTON and ROBBINS

An Act amending the act of November 4, 1983 (P. L. 217, No. 63), known as the "Pharmaceutical Assistance Contract for the Elderly Act," further providing for program criteria; and providing for a prescription drug education program.

Referred to Committee on FINANCE, February 5, 1985.

No. 176 By Representatives GLADECK,
GREENWOOD, NAHILL, MOEHLMANN,
BOOK, FARGO, REBER, HAGARTY,
E. Z. TAYLOR, POTT, SEMMEL,
CORNELL, MERRY, FLICK,
McCLATCHY and FOX

An Act providing for the submission to the electors of this Commonwealth of a referendum relating to the establishment of a private enterprise system for the sale of wine and liquor.

Referred to Committee on LIQUOR CONTROL, February 5, 1985.

No. 177 By Representatives DeWEESE, PISTELLA,
LLOYD, WOZNIAK, KUKOVICH,
SWEET, HALUSKA, STUBAN, TIGUE,
BELARDI, LIVENGOOD, KASUNIC,
TELEK, STAIRS, COSLETT and HASAY

An Act amending the "Pennsylvania Bituminous Coal Mine Act," approved July 17, 1961 (P. L. 659, No. 339), removing a provision relating to steam locomotives; and prohibiting the use of internal combustion engines in underground coal mines.

Referred to Committee on MINES AND ENERGY MANAGEMENT, February 5, 1985.

No. 178 By Representatives DeWEESE, PISTELLA,
LLOYD, WOZNIAK, KUKOVICH,
SWEET, HALUSKA, STUBAN, TIGUE,
BELARDI, LIVENGOOD, KASUNIC,
TELEK, STAIRS, JAROLIN, HASAY and
COSLETT

An Act amending the "Pennsylvania Anthracite Coal Mine Act," approved November 10, 1965 (P. L. 721, No. 346), prohibiting the use of internal combustion engines in underground coal mines.

Referred to Committee on MINES AND ENERGY MANAGEMENT, February 5, 1985.

No. 179 By Representatives DeWEESE, LUCYK, BALDWIN, PISTELLA, CIMINI, MRKONIC, BOOK, KUKOVICH and GLADECK

An Act amending Title 51 (Military Affairs) of the Pennsylvania Consolidated Statutes, providing a pension for certain paralyzed veterans.

Referred to Committee on MILITARY AND VETERANS AFFAIRS, February 5, 1985.

No. 180 By Representative DeWEESE

An Act amending the "Dog Law," approved December 7, 1982 (P. L. 784, No. 225), authorizing actions for damages in certain cases; and imposing penalties.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, February 5, 1985.

No. 181 By Representatives DeWEESE, PISTELLA, LLOYD, WOZNIAK, KUKOVICH, DALEY, HALUSKA, CLARK and STEWART

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, prohibiting the use of coal mined in foreign countries by certain utilities.

Referred to Committee on CONSUMER AFFAIRS, February 5, 1985.

No. 182 By Representatives DeWEESE, PISTELLA, LLOYD, WOZNIAK, KUKOVICH and STEWART

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing that the transportation costs of coal shall not be included in the computation of the fuel cost adjustment.

Referred to Committee on CONSUMER AFFAIRS, February 5, 1985.

No. 183 By Representatives DeWEESE, BLAUM, LUCYK, PETRARCA, PISTELLA, WOZNIAK, KUKOVICH, SWEET, DALEY, HALUSKA, STUBAN, JAROLIN, TIGUE, BELARDI, BOOK, COSLETT, TELEK and HASAY

An Act amending "The Pennsylvania Occupational Disease Act," approved June 21, 1939 (P. L. 566, No. 284), providing for an irrebuttable presumption of total disability for certain black lung compensation.

Referred to Committee on LABOR RELATIONS, February 5, 1985.

No. 184 By Representatives DeWEESE, PISTELLA, LLOYD, KUKOVICH, HALUSKA, PRESTON and LESCOVITZ

An Act amending the "Enforcement Officer Disability Benefits Law," approved June 28, 1935 (P. L. 477, No. 193), extending benefits to mine inspectors of the Department of Environmental Resources.

Referred to Committee on LABOR RELATIONS, February 5, 1985.

No. 185 By Representatives DeWEESE, SEVENTY, PISTELLA, HALUSKA, PRESTON, COWELL and GRUITZA

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), increasing the limit for property holdings for a single person assistance unit.

Referred to Committee on HEALTH AND WELFARE, February 5, 1985.

No. 186 By Representatives DeWEESE, PISTELLA, KUKOVICH, MRKONIC, HALUSKA, CLARK, PRESTON, GAMBLE, DeLUCA and DUFFY

An Act amending the "Public Welfare Code," approved June 13, 1967 (P. L. 31, No. 21), further providing for eligibility for the State blind pension.

Referred to Committee on HEALTH AND WELFARE, February 5, 1985.

No. 187 By Representatives DeWEESE, PISTELLA, KUKOVICH, DALEY, HALUSKA, CLARK and FREEMAN

An Act amending the "Pennsylvania Election Code," approved June 3, 1937 (P. L. 1333, No. 320), further providing for names of political action committees.

Referred to Committee on STATE GOVERNMENT, February 5, 1985.

No. 188 By Representatives DeWEESE, KUKOVICH, MICHLOVIC, ITKIN, TRELLO, JAROLIN, MORRIS, VAN HORNE, BATTISTO, DeLUCA, PISTELLA, HALUSKA, SHOWERS, GALLAGHER, RYBAK, PRATT, PRESTON, FREEMAN, COHEN, FATTAH and MAYERNIK

An Act prohibiting the use of the Governor's and Lieutenant Governor's Mansions for political fundraising events; and providing a penalty.

Referred to Committee on STATE GOVERNMENT, February 5, 1985.

No. 189 By Representatives PETRARCA, HALUSKA, FARGO, DIETZ, GODSHALL, TRELLO, JOHNSON, TIGUE, E. Z. TAYLOR, WOZNIAK, STABACK and SALOOM

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the precedence of substance over procedure in criminal cases.

Referred to Committee on JUDICIARY, February 5, 1985.

No. 190 By Representatives PETRARCA, SALOOM, HALUSKA, TRELLO, REBER, VAN HORNE, DAWIDA, STEVENS and STABACK

An Act amending the "Tax Reform Code of 1971," approved March 4, 1971 (P. L. 6, No. 2), excluding from the sales tax motor vehicles manufactured within this Commonwealth.

Referred to Committee on FINANCE, February 5, 1985.

No. 191 By Representatives PETRARCA, WAMBACH, E. Z. TAYLOR, KUKOVICH, BELARDI, BOWSER, KOSINSKI, HALUSKA, TRELLO, VAN HORNE, SEMMEL, STABACK and SALOOM

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

Referred to Committee on TRANSPORTATION, February 5, 1985.

No. 192 By Representatives PETRARCA, BELARDI, KOSINSKI, HALUSKA, TRELLO, TIGUE, VAN HORNE, DAWIDA, STEVENS, BOWSER and COLAFELLA

An Act amending the "Liquor Code," approved April 12, 1951 (P. L. 90, No. 21), authorizing cooperative advertising by the board and distillers and wineries.

Referred to Committee on LIQUOR CONTROL, February 5, 1985.

No. 193 By Representatives GALLAGHER, COY, MERRY and MRKONIC

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, restricting the power of the Governor to grant and the Board of Pardons to recommend pardons and commutation of sentences for persons sentenced to life imprisonment.

Referred to Committee on JUDICIARY, February 5, 1985.

No. 194 By Representatives SWEET, COWELL, COLAFELLA, CESSAR, DALEY, ITKIN, D. R. WRIGHT, E. Z. TAYLOR, TRELLO, GODSHALL, DAWIDA, J. L. WRIGHT, SEVENTY, VAN HORNE, JOHNSON, AFFLERBACH, MORRIS, DeWEESE, BELARDI, SHOWERS, PISTELLA and LAUGHLIN

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as the "Public School Code of 1949," further providing for voting on matters before the board.

Referred to Committee on EDUCATION, February 5, 1985.

No. 195 By Representatives SWEET, PRATT, McVERRY, HAGARTY, BLAUM, LASHINGER, KOSINSKI, BALDWIN, MAYERNIK, PRESSMANN, WOGAN and CIMINI

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for the rights of child victims and witnesses of criminal acts; providing for the videotaping of testimony in certain cases; authorizing certain services; providing for the testimony of children; and providing for the use of dolls as testimonial aids.

Referred to Committee on JUDICIARY, February 5, 1985.

No. 196 By Representatives SWEET, GEIST, ITKIN, DeWEESE, D. R. WRIGHT, WOGAN, HALUSKA, KOSINSKI, TRELLO, SEVENTY, VAN HORNE, PETRARCA, GEORGE, STAIRS, PERZEL, PISTELLA, FREEMAN, TRUMAN, ARTY and KASUNIC

An Act amending the act of June 2, 1915 (P. L. 736, No. 338), known as "The Pennsylvania Workmen's Compensation Act," raising the compensation rate for certain individuals; and making an appropriation.

Referred to Committee on LABOR RELATIONS, February 5, 1985.

No. 197 By Representatives SWEET, DAWIDA, PRATT, CESSAR, GODSHALL, TIGUE, COWELL, J. L. WRIGHT, MICHLOVIC, TRELLO, VAN HORNE, GANNON, B. SMITH, MORRIS, KASUNIC, BALDWIN, BELARDI, PISTELLA, GAMBLE and LAUGHLIN

An Act amending the act of March 10, 1949 (P. L. 30, No. 14), known as "The Public School Code of 1949," requiring school districts to provide copies of certain tax lists to certain municipalities.

Referred to Committee on EDUCATION, February 5, 1985.

No. 198 By Representatives SWEET, MICHLOVIC, DALEY, REBER, McVERRY, DAWIDA, ITKIN, COWELL, KUKOVICH, J. L. WRIGHT, TRELLO, VAN HORNE, D. R. WRIGHT, PRATT, BELARDI and PISTELLA

An Act amending the act of July 12, 1972 (P. L. 762, No. 180), referred to as the "Intergovernmental Cooperation Law," providing for a council of governments and its rights and powers.

Referred to Committee on LOCAL GOVERNMENT, February 5, 1985.

No. 199 By Representatives SIRIANNI, PICCOLA, ITKIN, BURNS, TIGUE, HALUSKA,

BOYES, RYAN, ANGSTADT, HAYES, AFFLERBACH, WOGAN, McVERRY, BOOK, J. L. WRIGHT, TELEK, GANNON, ARTY, NOYE, WOZNAK, LLOYD, KENNEY, FARGO, WILSON, KOSINSKI, FOX, CIVERA, TRELLO, WASS, PRATT, JOHNSON, DeLUCA, DISTLER, BOWSER, VROON, HERSHEY, MERRY, BLAUM, SEMMEL, BELARDI, PERZEL, LASHINGER and E. Z. TAYLOR

An Act amending the act of January 25, 1966 (1965 P. L. 1546, No. 541), entitled "An act providing scholarships and providing funds to secure Federal funds for qualified students of the Commonwealth of Pennsylvania who need financial assistance to attend postsecondary institutions of higher learning, making an appropriation, and providing for the administration of this act," providing for grants for part-time students.

Referred to Committee on EDUCATION, February 5, 1985.

SENATE BILLS FOR CONCURRENCE

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

SB 129, PN 278

Referred to Committee on LIQUOR CONTROL, February 5, 1985.

SB 214, PN 293

Referred to Committee on LIQUOR CONTROL, February 5, 1985.

COMMUNICATION FROM GOVERNOR

REQUEST FOR JOINT SESSION

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

Commonwealth of Pennsylvania
Governor's Office
Harrisburg

January 7, 1985

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

If it meets with the approval of the General Assembly, I would like to address the Members in Joint Session on Tuesday, February 5, 1985, at a time convenient to the General Assembly.

Dick Thornburgh
Governor

RESOLUTION ADOPTED

COMMITTEE TO ESCORT SENATE

Mr. DeLUCA offered the following resolution, which was read, considered, and adopted:

In the House of Representatives, February 5, 1985

RESOLVED, That the Speaker appoint a committee of three to escort the members and officers of the Senate to the Hall of the House for the purpose of attending the Joint Session of the General Assembly.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee to wait upon the Senate, the gentleman from Adams County, Mr. Cole; the gentleman from Philadelphia County, Mr. Kosinski; and the lady from Philadelphia County, Mrs. Weston.

The committee will proceed with the performance of its duties.

COMMITTEE TO ESCORT GOVERNOR APPOINTED

The SPEAKER. Pursuant to the concurrent resolution previously adopted by the House, the Chair now appoints as a committee to escort the Governor to the hall of the House, the gentleman from Lackawanna County, Mr. Belardi; the gentleman from Allegheny County, Mr. Preston; and the gentleman from Lancaster County, Mr. Scheetz.

The committee will proceed with the performance of its duties.

WELCOME

The SPEAKER. The Chair takes this opportunity to welcome to the hall of the House a group of very distinguished visitors. These gentlemen are part of the Bahrainian internship program of the Commonwealth of Pennsylvania. They are escorted by Betty Tilman from the University of Pittsburgh. They are as follows: Ghuloom Abdulla Abbas, Saeed Khalap Mousa, Khalid Musbah Al Kabbi, Mohamed Abdulla Agab, Nasser Al Hassan, Hassan A. Kadam, and Yousif F. Al Dossari. Welcome to the hall of the House, gentlemen.

REPORT OF COMMITTEE ESCORTING SENATE

The SPEAKER. The Senate is now entering the hall of the House. Members will rise.

The Chair recognizes the Sergeant at Arms of the House.

The SERGEANT AT ARMS. Mr. Speaker, a committee of the House escorting the Senate to the hall of the House.

The SPEAKER. The Chair recognizes the gentleman from Adams, Mr. Cole.

Mr. COLE. Mr. Speaker, your committee appointed to wait upon the Senate and escort them to the hall of the House has performed that duty and reports that the Senate is in attendance.

The SPEAKER. The Chair thanks the committee, and the committee is discharged of its duties.

**LIEUTENANT GOVERNOR
WILLIAM W. SCRANTON III
REQUESTED TO PRESIDE**

The SPEAKER. The Chair requests the Lieutenant Governor, the Honorable William W. Scranton III, to preside over the proceedings of this joint session of the General Assembly.

The President pro tempore of the Senate, the Honorable Robert C. Jubelirer, is invited to be seated on the rostrum.

The members of the Senate will please be seated.

**JOINT SESSION OF THE
GENERAL ASSEMBLY**

**LIEUTENANT GOVERNOR
WILLIAM W. SCRANTON III PRESIDING**

The LIEUTENANT GOVERNOR. This being the day and the time agreed upon by a concurrent resolution of the Senate and the House of Representatives to hear an address by His Excellency, the Governor, the Honorable Dick Thornburgh, this joint session will come to order. Will the members take their seats so that we may begin the joint session.

The session will come to order.

**REPORT OF COMMITTEE
ESCORTING GOVERNOR**

The LIEUTENANT GOVERNOR. The Chair recognizes the chairman of the committee to escort the Governor, the Senator from Montgomery County, Senator Tilghman.

Mr. TILGHMAN. Mr. President, as chairman of the committee to escort the Governor, I wish to report that His Excellency, the Governor, is present and is prepared to address this joint session.

The LIEUTENANT GOVERNOR. Thank you, Mr. Chairman.

Members of the General Assembly, I have the honor and the privilege of presenting His Excellency, the Governor, the Honorable Dick Thornburgh, who will now address this joint session.

**FISCAL YEAR 1985-86
BUDGET ADDRESS OF
GOVERNOR DICK THORNBURGH**

Mr. President, Mr. Speaker, members of the General Assembly, and my fellow Pennsylvanians:

While there is much that remains to be done, I am pleased to be able to report to you today that Pennsylvania is working again - working as we all said it should, working as we all hoped it would, and working as we all knew it could.

There are 356,000 more Pennsylvanians on the job today than during the depths of the recession 2 years ago.

Our unemployment rate has dropped from the 13.8 percent of that time to the 7.7 percent reported last week.

Our Unemployment Compensation Fund is solvent for the first time in more than a decade.

PennDOT has become the envy of its peers, as roads and bridges are being rebuilt and restored across this Commonwealth.

Our air and water are cleaner now than at any time in the past 15 years.

We are turning the tide toward quality in our schools, achievement among our students, and pride among our teachers.

Our support for the needy continues to rank among the Nation's most generous, but is more affordable, effective, and secure than ever before.

More than 500 foreign investors employ more than 100,000 Pennsylvanians from Kutztown to Clearfield, from Tamaqua to Tarentum, and across this State.

New ownership has reopened a steel mill in Johnstown. A national computer software center is headed for Pittsburgh. Philadelphia is rebuilding ships for the Navy. Erie is making locomotives for China. A ski resort has opened near Scranton.

Four major movies made in the Keystone State are premiering nationwide this month.

The Lehigh Valley of Pennsylvania has gained a new employer from the Silicon Valley of California.

More houses are being built again, and more Pennsylvanians are able to afford them again.

Tourism is up while crime is down. Income is up while inflation is down. Revenue is up while taxes are down. And even General Motors is looking us over in its search for a place to expand.

If Pennsylvania was ready for recovery a year ago—and it was—then Pennsylvania clearly is working again today.

For this we can be both proud and grateful. We can be grateful for our confidence in the future - a confidence with which we positioned ourselves to participate fully in the national recovery we expected to occur. And we can be proud - proud that we were strong enough, creative enough, and prudent enough to take advantage of that recovery and to bend, but not break, under the winds of change.

The budget that I am submitting to you today recognizes, however, that our pride must be tempered by prudence. It recognizes that while Pennsylvania is working again, not all Pennsylvanians have found work; that while some of our plants have reopened, others remain closed or underused; that as new firms and new jobs continue to enter our State, others are still tempted to leave; that today's State surplus could become tomorrow's State deficit; and that a Pennsylvania that works is a Pennsylvania prepared for both. But above all, it recognizes that public thrift and private investment have been key to this return of our Keystone State, and they shall remain key to our future in the months and years to come.

It is in the interest of continued public thrift that I recommend, for the seventh year in a row, that we defy the projected national rate of inflation by limiting our General Fund spending to a growth rate of only 4.9 percent.

It is in the interest of continued thrift and preparedness that I recommend that we initiate a special Tax Stabilization

Reserve Fund, beginning with \$25 million this year, to be earmarked solely for keeping our taxes low and our performance high through any future recession. This fund would be used only with the consent of the General Assembly and only to avoid tax hikes or service cuts during those very periods when our people are in the weakest position to cope with either.

And finally, it is in the interest of public thrift and private investment that I recommend that we follow last year's tax cuts with yet another cut this year in our personal income tax - a cut from the current rate of 2.35 percent to a new rate of 2.2 percent, thereby returning \$161 million to those consumers, investors, and taxpayers without whom there would be no recovery going on today.

This "Pennsylvania Growth Dividend" can be used for food and fuel, for clothes and cars, for medicine and milk, and whatever else Pennsylvania taxpayers themselves—and not their government—decide they need most.

Restraint and reinvestment already have served us well in implementing our strategic plan for economic development, a plan centering on our transition to a new, diversified economy of the future in Pennsylvania. Our strategy has been to build an economy fueled not only by the rise of advanced-technology enterprise but by the revitalization as well of our traditional manufacturing base.

It has been painfully demonstrated that excessive reliance on the so-called smokestack industries left the Pennsylvania of the past too vulnerable to outside forces beyond its control. The strategy of diversification is changing that, and it is one reason why the Pennsylvania of today is working again. We must not only continue but build upon the basic components of that strategy.

I propose, accordingly, that we raise our support for the highly successful Ben Franklin Partnership for advanced-technology enterprise by more than one-third this year, or to a total of \$25 million, thereby accelerating, for the third consecutive year, a project that already is recognized as the largest and most effective of its type in this Nation. This consortium of business, labor, scientific, and academic talent, beginning with a State appropriation of only \$1 million in seed money, has now generated more than \$116 million in public and private investment and assisted in the creation of research and development projects, and new small business, job training, and employment opportunities as well. I suggest that its work *not only be continued, but be expanded.*

And along with our commitment to full implementation of the \$190-million economic revitalization program approved by the voters last year, I recommend:

— Continued support for the low-cost loan programs of the Pennsylvania Industrial Development Authority, the Pennsylvania Minority Business Development Authority, and the Pennsylvania Capital Loan Fund - three established programs which have provided more than \$360 million in assistance to more than 900 businesses since 1979.

— An increase of 33 percent, to \$2 million, in our appropriation for the Pennsylvania Energy Development Authority to continue our push for the kind of energy diversity that is

vital to the security and support of a truly diversified economy.

— Increased funding for our small business programs - programs that have earned Pennsylvania a place among the Nation's leaders in aid to small business enterprise.

— Expansion of our marketing efforts on behalf of Pennsylvania agriculture, one of our oldest and most honored business activities.

— A doubling of our effort to promote tourism and economic development, to \$7.4 million, and an increase of 10 percent in our grants to local tourist promotion agencies, to hammer home that message that travelers, investors, and employers around the world do indeed have "a friend in Pennsylvania."

— An authorization of \$185 million in capital spending to assist in the construction of a new Pennsylvania convention center in Philadelphia, a facility which can draw tourist dollars and tax revenues to the City of Brotherly Love, and to the rest of the State as well.

And to encourage the revitalization of what might be called the workhorse of our traditional manufacturing base - our steel industry - I recommend to you the enactment of a special 3-year investment tax credit. At least one study has concluded that every job in our steel industry supports three other jobs in other fields. This incentive, by offering \$1 in tax credits for each \$5 actually invested in plant renewal or expansion here in Pennsylvania, could generate as much as \$125 million in new investment in our steel and other manufacturing enterprises.

The direct cost in State revenue would amount to \$25 million, but I suggest that that is misleading. For a choice between 25 million dollars' worth of tax revenue and 125 million dollars' worth of new investment in jobs and economic renewal, to say nothing of the untold new revenues such a renewal could generate, is no choice at all.

We do mean business here in Pennsylvania, and we intend to keep spreading that message.

Cutting taxes and controlling spending while investing in economic development would be of little help in this effort, however, without a skilled and productive work force. While we provide unemployment compensation, cash assistance, emergency mortgage aid, and special health benefits to many Pennsylvanians in our remaining pockets of high unemployment, the jobless millhand in the Mon Valley, the laid-off coal miner in Cambria County, and the unemployed garment worker of the northeast need something more than just short-term aid in order to fully participate in our new economy, for if we expect to light the lingering shadows of recession in a lasting way for all Pennsylvanians, we must provide job training that relates to real jobs in the marketplace.

The "Customized Job Training" program we initiated 3 years ago has helped nearly 12,000 Pennsylvanians win jobs or promotions since its inception. CJT works, and people who use it are working. They are working at American Home Technology in Schuylkill County, where a CJT grant helped train 77 carpenters and plumbers for new jobs; they are working at Union Switch and Signal in Swissvale, where 127

men and women were trained in engineering, drafting, and computer technology; and they are working at Harley-Davidson, the motorcycle company in York, where 560 workers were trained in a variety of new skills.

Because we have an obligation to share the success of customized job training with as many Pennsylvanians as we can, as quickly as we can, I recommend that we increase CJT funding by 70 percent this year, to \$12 million.

Thousands of displaced workers and homemakers and other Pennsylvanians have also found hope for reentering the job market through the programs of the Federal Job Training Partnership Act, and I suggest that we continue to help them fulfill that hope with \$9.3 million in State matching funds next year, which will qualify us for more than \$160 million in Federal job training assistance through this unique public/private partnership.

As we train the hands which run the lathes and program the computers of a working Pennsylvania, however, we must remember that the minds which guide those hands need quality training as well. That is why we embarked more than a year ago on an ambitious program of education reform called "Turning the Tide: An Agenda For Excellence in Pennsylvania Public Schools."

We have established, in accordance with that agenda, tough new course requirements for high school graduation; new incentives to inspire and reward outstanding work among students; a new early-warning test of basic reading and mathematics skills in the lower grades; and mandatory State-funded remedial instruction for those found to be in need of help.

Approximately 80,000 students are being enrolled at this very moment in remedial classes made possible with the \$24 million you appropriated for that purpose last year. Your approval of an appropriation of \$48 million for remedial instruction for the full school year beginning in September will help these and other Pennsylvania students correct their academic problems early enough to make a lasting difference in what they are able to do with their lives.

As you know, we also proposed last year an Excellence in Teaching awards program to recognize, encourage, and reward excellence in classroom teacher performance, and you responded with an appropriation of \$4 million for school districts to use in various ways in pursuit of that objective. But this was not nearly enough.

I am well aware that no perfect system exists for evaluating teacher performance. I continue to believe, however, that fair evaluation is possible, that the performance of some teachers obviously is superior to others, and that it simply makes no sense when the very best of our teachers cannot earn a single extra dollar for doing vastly superior work in the classroom. I call upon you to establish an Excellence in Teaching awards program with an appropriation of \$10 million to fund annual awards of \$2,000 each for outstanding performance among our teachers.

As we continue to implement the special commitments embodied in "Turning the Tide," we must remember our traditional commitments to education as well. That is why the

budget I am submitting to you today allocates to education no less than 50.3 percent of our total General Fund spending and 59 cents of each dollar of new spending proposed.

These funds include a 5-percent increase in our basic instructional subsidy, a 21-percent increase in our commitment to vocational education, a 5.4-percent increase in our commitment to higher education, a 7-percent increase in our support for the scholarship programs of the Pennsylvania Higher Education Assistance Agency, and \$1 million for an expanded effort to combat adult illiteracy in our State.

I also am recommending the implementation of four new initiatives which we developed in concert with the Governor's Commission on Financing Higher Education, and which soon will be detailed in a report by the commission itself. They include an \$8-million scholarship program for those part-time students who have flocked in increasing numbers to our community colleges and universities, a \$1-million merit scholarship program to encourage students of exceptional ability to stay and study in Pennsylvania, a \$1-million initiative to establish "Chairs of Excellence" at our universities, and a \$2.5-million deferred-maintenance matching program for our State university system.

But we also have at hand a unique opportunity to do even more than that - a chance to obtain, in a single, decisive act, the scientific, engineering, and other technical equipment that can place our schools, colleges, and universities way ahead of their competition in the race for the title "State of the Art in Education."

My proposal to replace the State liquor monopoly with private enterprise would raise an estimated \$150 million from the sale of franchises to private owners - proceeds that could and should be used for equipping our classrooms and laboratories from grade school through graduate school with the very best that technology has to offer.

The fate of the LCB will be decided before the end of the year, as part of the so-called sunset review process, but I suggest that we move in the daylight instead, and let the voice of the people be heard on this issue in a statewide referendum next May. I am confident that the people will say, yes, it is time for the extinction of this dinosaur - for Pennsylvania taxpayers, for Pennsylvania consumers, and for Pennsylvania education.

We know, of course, that education nourishes not only the mind but also the human spirit, freeing it to soar where it will in pursuit of self-enrichment and meaningful employment. For some of our people, adverse conditions of poverty, disability, advancing years, ill health, or other economic or personal circumstances make the mere survival of that spirit a daily struggle. But Pennsylvania is working for them as well.

When I first assumed office in 1979, State support for welfare recipients had not been raised by so much as a penny during 4 years of brutal inflation. We have raised that support three times over the years, and today, for the fourth time as Governor, I am able to recommend yet another 5-percent increase in our cash assistance payments. In other words, by enabling us to direct limited financial resources to those in severest need, welfare reform has worked.

Some of our citizens continue to have special needs requiring special attention, however, and I suggest we provide it. Specifically, I propose that we sustain our \$3-million commitment to shelter and services for the homeless; that we provide a \$10.3-million increase for community-based programs for the mentally ill, and a \$21.5-million increase for services to the mentally retarded, including assistance in finding them places in community residential programs; that we appropriate \$4 million in new funds to address the special needs of pregnant teenagers and teenage parents; that we appropriate \$2.3 million, representing a 24-percent increase over the previous year, for local domestic violence and rape crisis programs; that we provide \$1.2 million for the training and education of displaced homemakers, and for housing assistance to the parents of children temporarily placed in foster care because of severe medical or economic problems; and that we allocate \$1.3 million for expanded employment and training assistance for welfare recipients, some 120,000 of whom already have found work or are enrolled in job training programs.

I also am recommending a 2.7-percent increase in our medical assistance. That is the smallest such increase necessary in the last 6 years, a period during which those costs had risen annually by an average of 10.8 percent. Our cost-containment measures have helped to put the brakes on runaway spending without diminishing or cutting the health care we provide the needy. In fact, those measures promise to help us avoid as much as \$400 million in higher medical assistance costs this year alone.

We must continue these cost-containment efforts, such as prospective payments, recipient cost-sharing, and capitation programs, if we are to be able to afford continued care at realistic and compassionate levels.

These and other programs I have just discussed for the neediest of our citizens will account for a \$66.1-million increase in this budget alone. And we have other obligations as well.

For those Pennsylvania veterans, for example, who have defended the American values which we all cherish, I recommend a \$6-million capital appropriation to renovate the Pennhurst Center into a southeastern Pennsylvania veterans' home; a \$1.3-million appropriation for the Veterans Assistance Program, a sustained commitment to our nationally recognized network of Veterans Outreach and Assistance Centers; and a \$150,000 increase for the Vietnam Herbicides Information Commission.

Perhaps nowhere is our support for human services demonstrated more vividly, however, than in our assistance to the generation that built 20th-century America - assistance which amounted to nearly \$1 billion in General Fund and Lottery Fund expenditures last year alone. Pennsylvania clearly is working for our older Pennsylvanians, investing more in its programs for senior citizens than any other State, and I suggest that we add once again to this exemplary record of care.

Last year we established a new \$10-million grant program to enhance the safety, security, and accessibility of our senior

centers, and a new drug prescription program for which we recently broadened eligibility. I propose this year that we take similar action to broaden the eligibility for our property tax and rent rebate assistance program, so that more older Pennsylvanians can be spared the prospect of having to leave their Pennsylvania homes and the quality of life, security, and peace of mind those homes provide.

Perhaps none of our efforts has meant more personally to these and to other citizens, however, than our successful assault on crime and the criminal. Assisted by minimum mandatory sentencing, tougher standards for pardons and commutations, expanded prisons, and a crackdown on drug trafficking, that effort has contributed to a 14-percent drop in serious crime over the last 3 years.

It is clear that we have crime on the run in Pennsylvania, and to help us keep it on the run, I am proposing:

- A 9.5-percent increase in State funding for the Attorney General's offensive against organized crime, official corruption, drug trafficking, and white-collar crime.

- A 15.2-percent increase for the newly elevated Department of Corrections for additional guards and other staff, along with \$9.1 million in new capital appropriations for additional prison expansion and improvement.

- And an appropriation of \$2.6 million to assist in combating the abuse of children, the innocent and tragic victims of one of the most abhorrent aberrations of our society.

We have no greater obligation than the protection of the first civil right of all Pennsylvanians: the right to be free from fear of crime in our homes and on our streets.

It takes more than the absence of crime, however, to make for a healthy and vigorous community. It takes jobs and commerce and opportunities for social, cultural, and recreational fulfillment in a clean and safe environment. It is in pursuit of these objectives that I recommend:

- That we increase by 25 percent, to \$5 million, the appropriation for our Enterprise Zone program of economic revitalization in 27 of our hardest pressed communities, a program which already has attracted nearly \$157 million in private investment and stimulated the creation or expansion of more than 200 businesses.

- That we appropriate \$6.5 million to provide for site development and related support for the new Software Engineering Institute at Carnegie-Mellon University and for the proposed Gulf Research Center and the Jones and Laughlin Industrial Park in the Pittsburgh area.

- That we provide a record level of \$261 million for mass transit operating costs, a commitment that has more than doubled since I took office.

- That we further accelerate the restoration and completion of our interstate highway system and continue the replacement and rehabilitation of our State bridges and the transfer of State roads to local control.

- That we increase our commitment by over one-half to the cleanup of hazardous and toxic waste sites, bringing our total support for this effort to nearly \$8 million, and fully qualifying Pennsylvania for \$25 million in Federal Superfund money.

— That we allocate \$4.2 million to encourage communities to develop environmentally sound methods for recycling and disposing of solid waste.

— That we provide \$1.1 million for our part in the regional effort to "Save the Chesapeake Bay."

— That we deliver our fourth of six annual \$5-million contributions to the radiation cleanup on Three Mile Island.

— That we increase our "quality of life" appropriations for local libraries, to \$20 million; for arts organizations, to \$6 million; and for museums, to \$2.2 million.

— And that we develop a consensus within this body on local tax reforms that will provide greater flexibility for local governments and greater equity for local taxpayers.

Now, Mr. President, Mr. Speaker, and members of the General Assembly, this is my seventh appearance before you for the purpose of proposing a budget for the Commonwealth we were all elected to serve.

It can be very easy, over the years, to lose track of some of the history we have been making together and to forget some of those great and pressing issues that no longer require our attention.

Perhaps the state of our Commonwealth is best described, in fact, not by what we have had to discuss here this morning but by what we have not had to discuss for quite some time.

We have not had to discuss payoffs, patronage, and potholes in a financially precarious PennDOT. We have not had to discuss a wasteful, mismanaged, and bloated bureaucracy. We have not had to discuss a bankrupt Unemployment Compensation Fund, or energy shortages, or, of all things, the need simply to pass a budget on time.

We have, indeed, been able to move on to other matters of great importance to all Pennsylvanians, and the credit for this belongs to both of our parties and both of your Houses and all branches of government. But most of all, the credit belongs to our people.

From the boardroom to the classroom, from the factory floor to the laboratory door, from the home to the hospital, from the farm to the shop, from the construction site to the computer byte - Pennsylvanians have been meeting the challenge of change with the innovation, determination, and perspiration we knew it would take to assure that our destiny pays tribute to our heritage.

Pennsylvania is indeed working again, and our task is to assure that the work goes on.

Let the work go on now, to see that every person who wants a job in the Pennsylvania of the future is able to find one.

Let the work go on, to see that every community in every city, township, and borough is a decent one, a safe one, and a pleasant and attractive and productive one.

Let the work go on to make every school a great school, every teacher a proud teacher, and every student an inspired student.

Let the work go on, indeed, to raise a standard of life here in Pennsylvania to which others will aspire for generations, and let it be said by those who one day will take our places in this chamber that ours was a stewardship worthy of its time.

I thank you.

(Copy of budget is on file with the Journal clerk.)

JOINT SESSION ADJOURNED

The LIEUTENANT GOVERNOR. The Chair asks that the members of the House and visitors remain seated for just a moment while the members of the Senate leave the hall of the House.

As usual and as always, the Chair thanks the members of the House of Representatives and their Speaker for their hospitality to the members of the Senate.

The business for which this joint session has been assembled having been transacted, this session is now adjourned.

THE SPEAKER (K. LEROY IRVIS) IN THE CHAIR

The SPEAKER. The House will now come to order. The members will take their seats.

MOTION TO PRINT PROCEEDINGS OF JOINT SESSION

The SPEAKER. The Chair recognizes the gentleman from Westmoreland, Mr. Van Horne.

Mr. VAN HORNE. Mr. Speaker, I move that the proceedings of the joint session of the Senate and the House of Representatives held this 5th day of February 1985 be printed in full in this day's Legislative Journal.

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

The SPEAKER. Whoever is in charge of the floodlighting, turn them off.

The Chair has been advised by Tony May that we have to keep them on at least temporarily. So you as members and I as Speaker will have to endure those lights for a few more minutes.

For what purpose does the minority leader rise?

Mr. RYAN. Mr. Speaker, why does Tony May tell us we have to keep these lights on?

Mr. MANDERINO. He works for me, Matt. He works for me, Matt.

The SPEAKER. There is a very good—

Mr. RYAN. I know he works for Mr. Manderino. I did not realize that he was the Chief Clerk of the House or the Speaker of the House, and I find these lights objectionable.

The SPEAKER. The Speaker finds them objectionable too, but the Speaker will order them kept on until the majority leader and the minority leader have had their go at the budget discussion. After that, the rest of us will have suffered long enough that we will stop.

STATEMENT BY MAJORITY LEADER

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, it has been traditional on the day that the Governor brings his message to us that observations on his message as best they can be formulated in the short time given to the members of the General Assembly and to the leaders of the General Assembly, in the short time given to us to have seen the message of the budget, and that is probably less than an hour and a half or 2 hours, that as best we can to give some thought on what is before us.

Let me observe first, Mr. Speaker, that we make history here today. For the first time in at least my 20 years here in Harrisburg, we used TelePrompTers in the hall of the House. I do not have TelePrompTers, Mr. Speaker, here today, so I am going to have to use my cheaters and look down to my notes. But as best I can, let me observe and let me comment on the Governor's budget message for this year.

Generally, Mr. Speaker, I am pleased with what I have heard, more pleased than I have been on several other of the Governor's messages to the General Assembly. There are areas of concern that I have and I think we will have as an Assembly representing the people in what the Governor presents to us for the spending plan for the year 1985-86.

In a large area of expenditure, and that being education, I think the Governor's recommended increase in ESBE (equalized subsidy for basic education) is an unconscionable attack on the equity in funding basic education. The recommended percentage increases assumes the setting of an artificial cap on how much of an increase any district can receive over this year's allocation. The Governor's budget virtually ignores the rising costs of education and the inability of poor school districts to make up for the shortfall in State subsidy inherent in the Governor's recommended ESBE appropriation. As inadequate as the total dollar increase in ESBE is in the Governor's budget, its paucity is made worse by the fact that \$17 million, \$17 million which we added to ESBE for the current fiscal year, has been removed from ESBE by the Governor and added to his TELLS (Testing for Essential Learning and Literacy Skills) program; that is the excellence program and the remedial program. Thus, the increase over what is available in ESBE this fiscal year is closer to \$58 million or perhaps not quite half of what the Governor suggests in \$95 million, not the higher amount claimed by the Governor. This result is an increase of perhaps 3 percent, maybe reaching 4 percent, not the 4 or 5 percent claimed by the Governor.

If this were not bad enough, what little money is to be made available must under this proposal be used in part to provide some district with a flat percentage increase, a floor, when they really should be receiving no increase at all. The Governor is proposing that each district receive a 2-percent increase whether they are entitled to it or not. Yet districts that might be entitled to as high as 8 and 9 and 10 and 13 percent will be capped at 5 1/2 percent.

A statistical review of several districts with varying aid ratios produces some interesting facts. A wealthy district in the southeast part of the State with an aid ratio of near .27

will, because of the requirement to provide a minimum percentage increase, actually receive 100 percent of what a fully funded ESBE would provide. Conversely, a district in a rural county in the eastern part of the State with an aid ratio approaching .56 winds up, because of an artificially imposed ceiling, with about 92 percent of what a fully funded ESBE would provide. The same result occurs in districts found in one of the more economically depressed western counties. The pattern can be found across the State. A rural district in the south-central part of the State with an aid ratio of .46 will receive about 92 percent of a fully funded ESBE, and in the central part of the State an even poorer district with an aid ratio of .70 may receive only 90 percent of what it would be entitled to under ESBE.

Mr. Speaker, based on past experience we can expect that a number of districts will receive less than 90 percent of what a fully funded ESBE would give them; districts with high aid ratios will receive a smaller percentage of their fully funded ESBE.

I am sure that the General Assembly will, as it has in the past, look very carefully at the Governor's proposal and tailor the proposal—at least I would hope that we would tailor the proposal—to provide for and to place back into the proposal for education and the basic 12 years the equity which the ESBE formula really places without the artificial caps.

Mr. Speaker, the Governor's message to us today did not mention some of the things that are proposed in the budget document which I am sure will cause members of the General Assembly some particular problem. In the Department of Environmental Resources, if you can recall the last budget presentation made, the Governor proposed that the sewage treatment plant operations grants would be discontinued - that contract that we made to pay operations at a rate of 2 percent would be discontinued - and money would be put into construction funds for new sewage systems. I think you can remember the amount of mail that was generated at that time, and in the last budget we did not follow the Governor's proposal. His proposal is slightly different this year. It is not to completely eliminate the sewage grants but to cap the sewage grants so that no more than the amount of money that was being distributed or was distributed in 1984 and 1985 would be distributed in the operating programs.

There are many new systems that have come on board. A very large system down in, I believe, the city of Philadelphia is just coming on board. What this proposal means is that there will be cuts, albeit in some cases not major cuts but cuts in the operating grants that will be going to sewage systems, and we are only going to provide by the proposal \$1 million for construction. It just seems to me that we are going to get into a large political problem with our constituencies there with very little benefit. The shortfall from the Federal Government's cutting of sewage grants to the municipalities in percentage is a cut from 75 percent of the grant to 55 percent of the grant, or a shortfall of some \$48 million. So you can see how small that \$1 million this year would be in the construction fund. In future years as costs escalate, the loss to the local communities

would be greater. Again, I am just observing that this is an area that I am sure that we will find some difficulty with the budget.

Mr. Speaker, in the area of the Department of Agriculture, I am not pleased that the Governor has seen fit to eliminate the \$8 million that we have for the past 2 years placed in the budget to provide food bank assistance for many needy families across the State of Pennsylvania who have been supplementing their food budget. I think just a visit to any of the food banks to see the need that is there would tell that I am sure that we will have some problem with the elimination of the food bank money, and we will probably be asking that that money be returned.

Now, we were dismayed that the Legal Services money, which we fought over again last year until the end of the year and finally passed and provided, which matched \$1 million last year with some \$6.6 million of Federal moneys, has again been eliminated from the budget, which would be a loss to those agencies providing access to the legal system to the poor. There will be taken from them some \$7.5 million.

Mr. Speaker, the State general hospitals, which have in all the time that I have been in the Assembly been a political problem—Governors, even before this, moving to try to divest the State of its ownership of these hospitals, and every year the General Assembly is unable to abide by the wishes of the administration because of the many problems created in the areas where these hospitals are rendering care—again there is a proposal, as there was last year, of divestiture, and I am sure that we are going to have problems with meeting that unless the divestiture can take place in a cooperative manner with local communities.

Mr. Speaker, I was pleased to see the Governor propose the steel tax credit. I am not pleased with some of the details of the program. The program is to allow not only the steel companies but other manufacturing and processing companies to pick up some loss carryovers that they would have been entitled to had they made a profit, to pick that up in tax credits in other areas. In the first year of the program, \$25 million is set aside for that program, but the steel companies must match the credit of \$25 million, if they take it, with a 4- or 5-to-1 ratio, so that it would guarantee in Pennsylvania in the first year, if the full tax credits were taken, \$125 million in investment.

I am not pleased that we are talking about \$125 million, because in the steel industry we are not talking about very much or a very major investment. I am likewise not pleased that the base years that are being looked at for the usual and ordinary investments that the steel industry or any other industry made in capital improvements are the years 1981, 1982, and 1983, when very little investment was made by them at all so that almost any investment over and above those years would probably qualify for the credit. I would like to see us extend the base years to get to years where some meaningful investment had been made in the past, to try to insure a greater investment in Pennsylvania steel under this program.

The personal income tax, Mr. Speaker, is applauded; the decrease in the personal income tax. It is, I think, without question about time that the personal-income-tax payer receives the kinds of breaks that we have been giving to industries and corporations and businesses in the last several years in the Assembly. I think that those breaks were proper, but I think it is time for the personal-income-tax payer to be catching up.

I was pleased, Mr. Speaker, that the Governor proposed that the tax and rent rebate program in the Lottery Fund be extended by its eligibility limits to \$12,000 and \$15,000 - \$12,000 for a single person and \$15,000 for a couple. I was especially pleased at that proposal when I remembered that just last term, when we proposed those limits and passed those limits for the prescription drug program in the House, we were called big spenders; we were called spendthrifts, and we were going to bankrupt the fund. The Governor was proposing a \$7,000 limit on the prescription program and a \$9,000 limit for couples, and then by the end of the term he somehow came around to realize that we were right in the first place and we must not have been the big spenders and spendthrifts that he called us in the beginning of the term, because he proposed a \$12,000 to \$15,000 limit, as we had originally passed in the House many, many moons before that, and that is what is going to be in the program now in the prescription drug program.

I am displeased that the Governor did not tell you, though, that his proposal for the tax/rent rebate increase in eligibility is not to go into effect until 1986. I think we ought to look hard at that to see whether or not he again is being overcautious with the lottery proceeds as he has demonstrated in the past he has been.

Mr. Speaker, let me go to one other observation that I would like to make about the Governor's budget message, and that has to do with the surplus that we have this year and the Governor's use of the surplus, at least in part. The Governor has proposed that we have a "rainy day" fund, albeit of some \$25 million. He calls it a stabilization fund so that we can get over the peaks and valleys, I think he puts it, of the recessions and prosperity periods in Pennsylvania. Mr. Speaker, if we put \$25 million in that fund from now until 1990, it would still only amount to one-tenth of 1 percent of the proceeds of the personal income tax. I just do not think that that is the only way or the best way to guard against peaks and valleys.

In many ways it is already raining in Pennsylvania. We were the seventh highest State in the Nation in unemployment in 1984, and we had the second highest number of initial claims for unemployment in 1984.

There are better ways of avoiding budget and tax fluctuations as a State tries to weather recessions. Cautious budgeting, one-time expenditures, and careful budget planning can be accomplished without this device. The taxpayer's money should not be taken from his pocket for the sake of investing it. We have asked all our taxpayers to share their wealth for the common good of the State. We do that every time we

impose a tax, but only on the premise that their money is needed for legitimate public purposes, not a savings bank. If we are willing to adjust taxes downward in good times as easily as we must raise them in difficult times, the taxpayer is better off with those changes than he is in having his money taken from him for a so-called "rainy day" fund. "Rainy day" funds are not the answer to fiscal mismanagement or political misuse of a budget. A recent Washington report shows that of the 12 States similar to Pennsylvania who tried "rainy day" funds, 9 of them, 9 of the 12 experienced tax increases shortly after the "rainy day" funds were set up. Mr. Speaker, before I can support that kind of concept, it seems to me that we ought to look at some other things.

Mr. Speaker, today, rather than a "rainy day" fund, I would like to propose to the Governor a "sunny day" fund. If you will notice, Mr. Speaker, many of the members of the Democratic Caucus are wearing on the right side of their lapel a button simply demonstrating "Sunny Day Fund." I am pleased to say that there will be a proposal that we take from \$40 million to \$60 million of the State's expected \$188-million surplus and use this fund to bring perhaps the new General Motors Saturn Division plant or any other major industry to Pennsylvania.

Mr. Speaker, with the \$190-million bond issue, we addressed a need that we saw in helping small businesses get started, and that definitely, and with everyone's agreement, was aimed at small businesses. We at that time said that we were just not in a position to talk about large plants or plant sitings in Pennsylvania. I think that we can now talk in those terms.

Governor Thornburgh has proposed a "rainy day" fund to help alleviate future tax increases. Many people feel, as I said, that rainy days have never left Pennsylvania, and we call for a "sunny day" fund to bring new hope and new jobs to the State.

Any tax dollars we would invest to bring a major facility like the Saturn plant with 6,000 jobs to Pennsylvania would be repaid many times over in increased tax collections over the long haul. If you do some simple multiplication, 6,000 jobs; assume a \$15,000 average salary, which I think is reasonable; you are talking about the payment just in the State income tax of somewhere around \$300; \$300 times 6,000 is like \$1,800,000 just in what the State would get in 1 year in the income tax. Now add to that the consumption tax, the sales tax; add to that the savings that we would have in the payout in unemployment compensation to those who are unemployed who would be taking jobs; add to that the conservative multiplier of three jobs for every one of those kinds of manufacturing jobs—I have heard as high as seven, but using a conservative three—we would be getting \$11 million or more back in direct taxes to the Commonwealth each year. We would repay ourselves with the kind of investment that we are talking about in 4 to 5 years. It would be good for Pennsylvania's existing business base, good for Pennsylvania's State and local tax structures, good for Pennsylvania's strained social service network, and good for thousands of unemployed workers and their families who could benefit directly.

Bringing a plant in such as the new Saturn plant would have many benefits for the entire State. The taxes that I have gone over is just one. There would be a quarter of a billion dollars in payroll from all jobs, some 2,000 temporary construction jobs, and up to \$1 million a week in the reduction in the Unemployment Compensation Fund payments. Mr. Speaker, such a movement of bringing such a plant in would have an indeterminate but extensive and beneficial impact on county, municipal, and school collections in and around the communities where the new facility might be located.

The "sunny day" fund would be to provide, Mr. Speaker, simply a lump sum of money, perhaps the \$25 million that the Governor has put in the "rainy day" fund. Add to that anywhere from \$25 million to \$35 million of the better than \$130 million that we have in Job Training Partnership Act moneys and, Mr. Speaker, you have a package that I think we could put in the Governor's hands and in the Commerce Department's hands that would allow them to aggressively pursue industries such as the Saturn industry.

Mr. Speaker, other States are aggressively pursuing not only GM but other large plant locations. The Governor and the Commerce Department should be able to negotiate from a position of strength. We should provide a plant siting package that cannot be passed over by these major corporations. In return to the State, as I said from the personal income taxes, the consumer taxes, those alone make the "sunny day" fund a sure-fire, cannot-lose investment with a direct spinoff in jobs generating more than \$11 million in increased personal income and sales tax annually. Again, in less than 4 years we could be repaid. The suggestions that the Governor may have in his arsenal of incentives may be the construction of the plant, the leasing of the same to any new manufacturer, purchase and leasing equipment, construction of infrastructure, infrastructure improvements needed for the new facility as well as for special needs which a corporation may have which we could not anticipate and would not want to specify in a limiting way in legislation.

Attracting new industry, the large plants, is a hard-ball game. If Pennsylvania is going to compete with the Sun Belt and with other States in the Northeast, we must be prepared to make our proposals just as good, even better, perhaps the best. That is the kind of need we have.

When I reflect on the all-out effort that went into attracting the Volkswagen plant to Pennsylvania, I envision the kind of effort was then made with the additional advantage of placing in the Governor's hands and in the Commerce Department negotiator's hands sufficient wherewithal to come out on top. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the majority leader.

STATEMENT BY MINORITY LEADER

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, I think it is refreshing for the minority leader and the majority leader to almost concur in their respective

speeches on a day when the Governor presents his budget to the General Assembly. I agree with Mr. Manderino that this is one of the better and perhaps easier budgets that has been presented to us. It seems that it is always easier when we have a budget presented to us that includes a \$200-million surplus. Mr. Manderino and I and you, Mr. Speaker, and many others have suffered through some budgets where we did not have that initial blessing.

I think too little was said both by the Governor and by the majority leader, Mr. Manderino, about the fact that we are indeed, and I suspect that is both Republican and Democrat, Senate and House, 100 percent behind the Governor's proposal that the taxes be reduced to 2.2 percent - that is, the personal income tax - and I think that is probably as good a way as we can find to really start off this legislative term, which essentially is beginning today with the presentation of the Governor's budget. And I think that has to be said and resaid to the people, that we promised when we raised those taxes that as soon as we were in a position - that is, the State was in a position - that we could reduce that we would reduce, and indeed we live up to that commitment with this budget address and with what I suspect will be the actions of the General Assembly in the immediate months to follow.

I listened to Mr. Manderino's discussion with respect to the \$25-million "rainy day" or "sunny day" fund, and I have to think that there is no one in this House or very few people in this House who would vote against a proposal to gather together the funds that would be necessary to attract a large plant with a great number of new jobs in prospect to Pennsylvania. I know we did it, as Mr. Manderino said, in somewhat record time when we dealt with the Volkswagen issue some 10 years ago—I am guessing at that timing. Volkswagen, frankly to me, was a disappointment. I am one of the few people, I guess, who voted against that proposal when it came before the House some years ago. I think I was right then the way it was structured. I do not believe we would make the same mistake in structuring that we did those many years ago.

It seems strange though, and I am not against it—I would not want to be misunderstood; I would like to have more information on it—but it seems strange that we hear today from some of the members from I believe the northeast, by way of the newspaper, that we should commit some \$25 million, \$30 million, \$40 million to General Motors when in that same issue of the newspaper I found that General Motors had a record 1.2, I believe it was, billion dollar year. I do not know how great an impact that \$20 million, \$30 million, or \$40 million would make when you are dealing with a company that has made well over \$1 billion this past year, but it may be that it would make a great impact, because that is how they made that money, by being smart businessmen, and I congratulate them for it.

The gentleman, Mr. Manderino, also made some mention with respect to the \$25-million tax credit that would be available, principally, I think it is agreed, to the big steel industry. He pointed out that he had some reservations with respect to it. He was disappointed, I believe he said, in the

way it was to be capitalized by a matching grant that I believe he said was inadequate at first blush, and I confess that members of our caucus also have some questions with respect to having \$25 million made available just to big steel or what we believe will be just big steel without first having had an opportunity to see if those same 25 millions of dollars could not be spread perhaps over the State's business community in a fashion somewhat different than what has been proposed. We do not speak out against this proposal. We frankly have not had a chance to review it. Our caucus has not looked at this nor has it been briefed in any detail as to the proposals made by the Governor. But we, too, have questions with respect to the \$25-million proposal.

We have met informally in the hallways and the byways since the proposal has been made, and some of the questions that have been raised, to me at least, and I know to some of our other members, deal with some of the specifics of the budget. I know that a number of questions were raised with respect to the State investing \$180 million in a convention center in Philadelphia. We have to look into that more closely, and we would expect to have the full cooperation both of the State and city governments in allowing us an opportunity to look into that to see if in fact that is the wisest course of action for a commitment such as that commitment.

So we are not standing 100 percent behind the budget as it was presented to us. In whole though, for the most part I believe we are 100 percent behind it. We have several questions. I expect that those questions will be answered to our satisfaction, but they must be answered.

Our caucus must be satisfied, as must the caucus of Mr. Manderino, with the proposed distribution of education funds. I think without exaggeration I can say we are very pleased with the amount of moneys that are being committed to education. I am told that 59 percent of the new funds available - that is of the 400-and-some-odd millions of dollars that are available - 59, almost 60 percent of that money is going to go into the field of education, that field which now takes up 50.3 percent of our budget. So we have made major commitments and will continue to make major commitments to education. I know my fellow leader, Sam Hayes, will look closely at the distribution of those education moneys. I rely on him as does our caucus to advise us as to the distribution of these moneys under the complex formulas that too many of us, and I am sure too many of the general public, just do not understand. We must see how it affects our respective districts as well as the way it affects the entire State.

Mr. Manderino corrected himself—not corrected himself but explained in greater detail—his earlier remarks with respect to the plans or the recommendations of the Governor in connection with these sewage grants. It is my understanding that the operational moneys that are now being paid out under the law will continue. It is just that any new moneys will be used for capital construction rather than for the operational grants, and I think we should look closer into that to make sure that in fact that is what is going to happen or is what is proposed and just what effect, if any, it has on our respective areas.

I think all in all, though, Mr. Speaker, that we are pleased with the presentation of the Governor. We are especially pleased, of course, with the large surplus. We are pleased that the rate of spending that the Governor has proposed is within the inflation factor that is facing this Nation and this State during the next year, that we have not gone hog wild in our spending, that we have held it to a reasonable increase of 4.9 percent. Too often politicians are tempted, having a fund such as that \$200 million, to spend it rather than turn it back to our people. I think, as I look around this chamber, that none of us will be inclined to do that. I think we are all committed to the return of the money to the people and the reduction of the personal income tax to 2.2 percent, and I think each member can proudly go back to his home district with that news to his people. I know the constituents of this Commonwealth will receive it gladly, because too often we are back home trying to explain why it is necessary for us to raise taxes.

Mr. Speaker, I am sure both Mr. Manderino and I will have more to say as we have had an opportunity to review this budget more closely and our staff has had an opportunity to review it more closely. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

Mr. RYAN. Mr. Speaker, if I may, we have prepared and are intending to introduce today a tax reduction bill. It is over here; a number of our members have signed it. I do not know whether the majority party will allow our bill to move, but nevertheless, as evidence of our wholehearted support for this proposition, we will intend to introduce it today, and it will be up here for the signing of it by any of the other members.

The SPEAKER. The Chair thanks the gentleman.

The members are advised that we are not going to take a lunch break; we are going to go right into the regular session.

MASTER ROLL CALL RECORDED

The SPEAKER. We have not yet taken the master roll call, and that master roll call is required. Members will now proceed to vote on the master roll.

The following roll call was recorded:

PRESENT—199

Acosta	Dietz	Lashinger	Rieger
Afflerbach	Dininni	Laughlin	Robbins
Angstadt	Distler	Lescovitz	Rudy
Argall	Dombrowski	Letterman	Ryan
Arty	Donatucci	Levdansky	Rybak
Baldwin	Dorr	Levin	Saloom
Barber	Duffy	Linton	Saurman
Barley	Durham	Livengood	Scheetz
Battisto	Evans	Lloyd	Schuler
Belardi	Fargo	Lucy	Semmel
Belfanti	Fee	McCall	Serafini
Birmelin	Fischer	McClatchy	Seventy
Black	Flick	McHale	Showers
Blaum	Foster, Jr., A.	McVerry	Sirianni
Book	Fox	Mackowski	Smith, B.
Bortner	Freeman	Maiale	Smith, L. E.
Bowley	Freind	Manderino	Snyder, D. W.
Bowser	Fryer	Manmiller	Snyder, G. M.
Boyes	Gallagher	Markosek	Staback
Brandt	Gallen	Mayernik	Stairs

Broujos	Gamble	Merry	Steighner
Bunt	Gannon	Michlovic	Stevens
Burd	Geist	Micozzie	Stewart
Burns	George	Millier	Suban
Bush	Gladeck	Moehlmann	Sweet
Caltagirone	Godshall	Morris	Swift
Cappabianca	Greenwood	Mowery	Taylor, E. Z.
Carlson	Gruitza	Mrkonic	Taylor, F. E.
Carn	Gruppo	Murphy	Taylor, J. J.
Cawley	Hagarty	Nahill	Telek
Cessar	Haluska	Noye	Tigue
Chadwick	Harper	O'Donnell	Trello
Cimini	Hasay	Olasz	Truman
Civera	Hayes	Oliver	Van Horne
Clark	Herman	Perzel	Veon
Clymer	Hershey	Petrarca	Vroon
Cohen	Honaman	Petrone	Wambach
Colafella	Howlett	Phillips	Wass
Cole	Hutchinson	Piccola	Weston
Cordisco	Itkin	Pievsky	Wiggins
Cornell	Jackson	Pistella	Wilson
Coslett	Jarolin	Pitts	Wogan
Cowell	Johnson	Pratt	Wozniak
Coy	Josephs	Pressmann	Wright, D. R.
Deluca	Kasunic	Preston	Wright, J. L.
DeVertter	Kennedy	Punt	Wright, R. C.
DeWeese	Kenney	Raymond	Yandrisevits
Daley	Kosinski	Reber	
Davies	Kukovich	Reinard	Irvis,
Dawida	Langtry	Richardson	Speaker
Deal			

ADDITIONS—1

Fattah

NOT VOTING—1

Williams

EXCUSED—2

O'Brien

Pott

LEAVES ADDED—2

Freeman

Williams

LEAVES OF ABSENCE GRANTED

The SPEAKER. The Chair now turns to leaves of absence.

Does the majority whip have any leaves for the Democratic Party? The Chair recognizes the gentleman.

Mr. O'DONNELL. Mr. Speaker, we would request a leave of absence for the gentleman from Northampton, Mr. FREEMAN, for the rest of the day, and for the gentleman from Philadelphia, Mr. WILLIAMS, for the week.

The SPEAKER. The Chair hearing no objection thereto, the leaves are granted.

Mr. Hayes, are there any leaves of absence?

Mr. HAYES. No, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

RESOLUTIONS REPORTED FROM COMMITTEE

HR 7, PN 108 By Rep. MANDERINO

Designating February 16, 1985, as "Elks American Patriotism Day" in celebration of the Elks' 117th anniversary.

RULES.

HR 10, PN 123

By Rep. MANDERINO

Proclaiming the week of March 18 through 24, 1985, as "A Celebration of the Northside Week."

RULES.

HR 12, PN 182 (Concurrent)

By Rep. MANDERINO

Designating April as "Parliamentary Law Month."

RULES.

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

HB 24, PN 28

By Rep. MORRIS

An Act amending the "Race Horse Industry Reform Act," approved December 17, 1981 (P. L. 435, No. 135), further providing for experimental simulcasting.

AGRICULTURE AND RURAL AFFAIRS.

ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair has been advised by the majority leader that he is going to need an hour. Therefore, the Chair will declare this House in recess until 1:30.

ANNOUNCEMENT BY MINORITY LEADER

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I had notified some of our members of a special meeting in the caucus room at the lunch break. That meeting will go on now, those of you who are intending to be in attendance.

The SPEAKER. Very good.

LOCAL GOVERNMENT COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Berks, Mr. Fryer, to announce a committee meeting.

Mr. FRYER. Mr. Speaker, I would like to announce a very brief meeting of the Local Government Committee in the members' lounge at this time.

The SPEAKER. The Chair thanks the gentleman.

WELCOME

The SPEAKER. The Chair welcomes to the hall of the House Mr. Randolph E. E. Harry, who is a native of Trinidad and Tobago and a graduate student in political science at Villanova University. He is the guest of Representative Deal. Mr. Harry, welcome to the hall of the House.

MEMBER'S PRESENCE RECORDED

The SPEAKER. The gentleman from Philadelphia, Mr. Fattah's name will be added to the master roll.

RECESS

The SPEAKER. The Chair declares that this House will be in recess until 1:30.

AFTER RECESS

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

CALENDAR

**BILL AGREED TO
ON SECOND CONSIDERATION**

The following bill, having been called up, was considered for the second time and agreed to, and ordered transcribed for third consideration:

HB 1, PN 5.

SENATE BILL FOR CONCURRENCE

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

SB 267, PN 322

Referred to Committee on APPROPRIATIONS, February 5, 1985.

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, February 4, 1985

RESOLVED, (the House of Representatives concurring), That when the Senate adjourns this week it reconvene on Monday, February 11, 1985 unless sooner recalled by the President Pro Tempore, and when the House of Representatives adjourns this week it reconvene on Monday, February 11, 1985 unless sooner recalled by the Speaker.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 108, PN 116**, entitled:

An Act making an appropriation from a restricted revenue account within the General Fund to the Office of Consumer Advocate.

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—197

Acosta	Deal	Lashinger	Robbins
Afflerbach	Dietz	Laughlin	Rudy
Angstadt	Dininni	Lescovitz	Ryan
Argall	Distler	Letterman	Rybak
Arty	Dombrowski	Levdansky	Saloom
Baldwin	Donatucci	Levin	Saurman
Barber	Dorr	Linton	Scheetz
Barley	Duffy	Livengood	Schuler
Battisto	Durham	Lloyd	Semmel
Belardi	Evans	Lucyk	Serafini
Belfanti	Fargo	McCall	Seventy
Birmelin	Fattah	McClatchy	Showers
Black	Fee	McHale	Sirianni
Blaum	Fischer	McVerry	Smith, B.
Book	Flick	Maekowski	Smith, L. E.
Bortner	Foster, Jr., A.	Maiale	Snyder, D. W.
Bowley	Fox	Manderino	Snyder, G. M.
Bowser	Freind	Manmiller	Staback
Boyes	Fryer	Markosck	Stairs
Brandt	Gallagher	Mayernik	Steighner
Broujos	Gamble	Merry	Stevens
Bunt	Gannon	Michlovic	Stewart
Burd	Geist	Micozzie	Stuban
Burns	George	Miller	Sweet
Bush	Gladeck	Moehlmann	Swift
Caltagirone	Godshall	Morris	Taylor, E. Z.
Cappabianca	Greenwood	Mowery	Taylor, F. E.
Carlson	Gruitza	Mrkonic	Taylor, J. J.
Carn	Gruppo	Murphy	Telek
Cawley	Hagarty	Nahill	Tigue
Cessar	Haluska	O'Donnell	Trello
Chadwick	Harper	Olasz	Truman
Cimini	Hasay	Oliver	Van Horne
Civera	Hayes	Perzel	Veon
Clark	Herman	Petrarca	Vroon
Clymer	Hershey	Petrone	Wambach
Cohen	Honaman	Phillips	Wass
Colafella	Howlett	Piccola	Weston
Cole	Hutchinson	Pievsky	Wiggins
Cordisco	Itkin	Pistella	Wilson
Cornell	Jackson	Pitts	Wogan
Coslett	Jarolin	Pratt	Wozniak
Cowell	Johnson	Pressmann	Wright, D. R.
Coy	Josephs	Preston	Wright, J. L.
DeLuca	Kasunic	Punt	Wright, R. C.
DeVerter	Kennedy	Raymond	Yandrisevits
DeWeese	Kenney	Reber	
Daley	Kosinski	Reinard	Irvis,
Davies	Kukovich	Richardson	Speaker
Dawida	Langtry	Rieger	

NAYS—2

Gallen Noye

NOT VOTING—0

EXCUSED—4

Freeman O'Brien Pott Williams

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

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

FILMING PERMISSION GRANTED

The SPEAKER. WPVI has asked permission for videotaping on the floor of the House for 10 minutes. You may begin now.

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I move that the following bills be lifted from the tabled calendar and placed on the active calendar:

- HB 18;
- HB 31;
- HB 32;
- HB 33;
- HB 34;
- HB 35;
- HB 36;
- HB 37;
- HB 38;
- HB 39;
- HB 40;
- HB 41;
- HB 42; and
- HB 117.

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

WELCOME

The SPEAKER. The Chair is delighted to welcome to the hall of the House, as the guest of the new Representative Ron Black from the 64th District, Mr. Earl Shafer, who is a computer consultant from Oil City, Pennsylvania. Welcome to the hall of the House.

BILL REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader.
Mr. MANDERINO. Mr. Speaker, I move that HB 24 be lifted from the tabled calendar and placed on the active calendar.

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

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 109, PN 119**, entitled:

An Act making appropriations from a restricted revenue account within the General Fund and from Federal augmentation funds to the Pennsylvania Public Utility Commission.

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

The SPEAKER. The gentleman from Westmoreland, Mr. Kukovich, was about to offer an amendment, but the Chair is informed that he is withdrawing the amendment. Is that correct, Mr. Kukovich? The Chair thanks the gentleman.

Does the gentleman want to make a statement on the amendment?

Mr. KUKOVICH. Yes, Mr. Speaker. The SPEAKER. The Chair recognizes Mr. Kukovich. Mr. KUKOVICH. Thank you.

It has come to my attention that a separate line item might not be necessary to accomplish what we want to in this amendment. If the benefits part of the PUC (Public Utility Commission) budget stays the way it is, then they should be able to have enough money to accomplish this without a separate line item, and if that is so, then we would not have to deal with it, and hopefully, we will not have to offer a supplemental later, so I will withdraw the amendment.

The SPEAKER. The Chair thanks the gentleman.

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

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

The question is, shall the bill pass finally?

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

YEAS—195

Table listing names of members who voted 'YEAS' in four columns: Acosta, Deal, Langtry, Robbins; Afflerbach, Dietz, Lashinger, Rudy; Angstadt, Dininni, Laughlin, Ryan; Argall, Distler, Lescovitz, Rybak; Arty, Dombrowski, Letterman, Saloom; Baldwin, Donatucci, Levdansky, Saurman; Barber, Dorr, Levin, Scheetz; Barley, Duffly, Livengood, Schuler; Battisto, Durham, Lloyd, Semmel; Belardi, Fargo, Lucyk, Serafini; Belfanti, Fattah, McCall, Seventy; Birmelin, Fee, McClatchy, Showers; Black, Fischer, McHale, Sirianni; Blaum, Flick, McVerry, Smith, B.; Book, Foster, Jr., A., Mackowski, Smith, L. E.; Bortner, Fox, Maiale, Snyder, D. W.; Bowley, Freind, Manderino, Snyder, G. M.; Bowser, Fryer, Manmiller, Staback; Boyes, Gallagher, Markosek, Stairs; Brandt, Gallen, Mayernik, Steighner; Broujos, Gamble, Merry, Stevens; Bunt, Gannon, Michlovic, Stewart; Burd, Geist, Micozzie, Suban; Burns, George, Miller, Sweet; Bush, Gladeck, Moehlmann, Swift; Callagiron, Godshall, Morris, Taylor, E. Z.; Cappabianca, Greenwood, Murphy, Taylor, F. E.; Carlson, Gruitza, Nahill, Taylor, J. J.; Carn, Gruppo, Noye, Telek; Cawley, Hagarty, O'Donnell, Tighe; Cessar, Hafuska, Olasz, Trello

Table listing names of members who voted 'NAYS' in four columns: Chadwick, Harper, Oliver, Truman; Cimini, Hasay, Perzel, Van Horne; Civera, Hayes, Petrarca, Vcon; Clark, Herman, Petrone, Vroon; Clymer, Hershey, Phillips, Wambach; Cohen, Honaman, Piccola, Wass; Colafella, Howlett, Pievsky, Weston; Cole, Hutchinson, Pistella, Wiggins; Cordisco, Itkin, Pitts, Wilson; Cornell, Jackson, Pratt, Wogan; Coslett, Jarolin, Pressmann, Wozniak; Cowell, Johnson, Preston, Wright, D. R.; Coy, Josephs, Punt, Wright, J. L.; Deluca, Kasunic, Raymond, Wright, R. C.; DeVerter, Kennedy, Reber, Yandrisevits; DeWeese, Kenney, Reinard; Daley, Kosinski, Richardson, Irvis; Davies, Kukovich, Rieger, Speaker; Dawida

NAYS—1

Mrkonic

NOT VOTING—3

Evans, Linton, Mowery

EXCUSED—4

Freeman, O'Brien, Pott, Williams

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

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

* * *

The House proceeded to third consideration of HB 110, PN 118, entitled:

An Act providing for the establishment, operation and administration of a supplemental low-income home energy assistance program; and making an appropriation.

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

Mr. HAYES offered the following amendments No. A0052:

Amend Title, page 1, lines 1 through 3, by striking out all of said lines and inserting

Making additional appropriations of Federal funds to the Department of Public Welfare for the low-income home energy assistance program for the fiscal year 1984-1985.

Amend Bill, page 1, lines 6 through 18; pages 2 and 3, lines 1 through 30; page 4, lines 1 through 16, by striking out all of said lines on said pages and inserting

Section 1. The sum of \$19,655,000, or as much thereof as may be necessary, is hereby appropriated from the Federal Low-Income Energy Assistance Block Grant (LIEABG) to the Department of Public Welfare for the fiscal year July 1, 1984, to June 30, 1985, as a supplemental Federal appropriation for the purpose of lessening the impact of the high cost of energy on low-income families and individuals.

Section 2. The sum of \$1,000,000, or as much thereof as may be necessary, is hereby appropriated from the Federal Oil Overcharge Settlements (OOS) to the Department of Public Welfare for the fiscal year July 1, 1984, to June 30, 1985, as a supplemental appropriation for the purpose of lessening the impact of the high cost of energy on low-income families and individuals.

Section 3. The sum appropriated in section 1 is in addition to the amount appropriated in Part II of the act of June 29, 1984 (P.L. , No.7A), known as the General Appropriation Act of 1984.

Section 4. This act shall take effect immediately.

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the Chair recognizes the minority whip.

Mr. HAYES. Thank you, Mr. Speaker.

What my amendment would do is this: appropriate the available Federal funds for the purpose of heat assistance and strike from the bill all those provisions which would do as Mr. Laughlin intends, that being to provide \$25 million of Pennsylvania tax dollars, which I believe would be unnecessary at this time in that we do have available those Federal moneys which have not yet been appropriated for the purpose of getting us through the remaining weeks and months of the 1985 heating season.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Beaver, Mr. Laughlin, on the Hayes amendment.

Mr. LAUGHLIN. Mr. Speaker, would I be in order, please, to ask the gentleman a few questions with regard to the amendment?

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

Mr. LAUGHLIN. Mr. Speaker, you are aware that the funding for this particular program was shut off January 4 by the Secretary of Welfare. Correct?

Mr. HAYES. Which funding, Mr. Speaker?

Mr. LAUGHLIN. The applications that were accepted for the cash grant component of the particular program.

Mr. HAYES. Yes; it is my understanding, Mr. Speaker, that the applications for the regular prepaid heating assistance grants came to a close on January 4. That still leaves, of course, the available crisis grants.

Mr. LAUGHLIN. Mr. Speaker, you are also aware, then, that the number of people who had applied and had pending applications as of the date of January 4, December 16, and on back on a revolving basis, Mr. Speaker, was listed at 48,928 people who had failed to have their applications considered. Are you aware of those figures, Mr. Speaker?

Mr. HAYES. I understand, Mr. Speaker, that there are pending approximately 48,000 applications which can be considered under the regular grant program, even though January 4 is the date that the Secretary of Welfare has indicated as the last date to receive applications. But as far as those 48,000 that are still pending and have not yet been processed and judged as to eligibility, they can be satisfied under the amendment which I have just offered.

Mr. LAUGHLIN. Mr. Speaker, you are absolutely right. They can be satisfied, and the end result of that satisfaction will be that you will fall approximately \$3 million short of what you are attempting to do in your amendment. But, Mr. Speaker, you are only speaking to the applications that were

prior to January 4 of this year. You are certainly aware, Mr. Speaker, that a number of people out there who were not aware that the fund was going to be halted and that the application time was going to be halted have not had an opportunity to make an application, and their numbers are almost the equal of the 48,000. Mr. Speaker, are you aware of that?

Mr. HAYES. Mr. Speaker, all I can say is you are dealing in a great deal of speculation. If one were to use the figures which have in fact evolved over the last couple of years, you will find that we have already satisfied more applications in the current fiscal year than was the case in previous years.

But you are dealing in speculation, Mr. Speaker. It is very difficult to say with absolute certainty how many people may fill out an application and find themselves outside the program. Maybe there will be 500,000 people apply. Maybe there will be 250,000 people apply. All we know is what we have in hand, and you yourself have agreed that that number is 48,000, and you yourself have agreed that the January 4 deadline has come and passed, but now you want to deal in prospective numbers, and I suggest that nobody in this room can deal with absolute certainty. But I do know this: Based upon previous years, the program is in fact doing what it was intended to do.

Mr. LAUGHLIN. Mr. Speaker, I do not wish to contradict the whip of the minority party, but certainly if he had his figures correct, he would know that you cannot possibly grant a greater number of applicants and fund them at a higher level—which has occurred this year—and be accurate in a statement, Mr. Speaker. There has not been a greater number filled and completed and awarded, as the gentleman indicates.

And the gentleman says that it is speculative on my part. Mr. Speaker, I submit that the Secretary of Welfare, who presented the information, is far from a gentleman who deals in speculation.

The SPEAKER. Will the gentleman yield.

Mr. Laughlin, have you finished the interrogation?

Mr. LAUGHLIN. No, Mr. Speaker, I have not.

The SPEAKER. Would the gentleman, Mr. Laughlin, restrain his statements and stick only to interrogation until the Chair recognizes him to make his statement.

Mr. LAUGHLIN. All right, Mr. Speaker.

I believe that it is obvious that the figures that the gentleman has utilized are certainly erroneous, and I do not have any further questions of him.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman in order to make a comment on the amendment.

Mr. LAUGHLIN. Yes, Mr. Speaker.

With regard to the amendment itself, Mr. Speaker, as of the date of 1-16-85, there were pending before the Welfare Department 48,928 applications that had not been satisfied or taken care of with regard to the expense that had been involved to be awarded to those gas companies or oil companies or whoever was supplying the energy component to the individual. Mr. Speaker, that average payment was \$303.60, and I have commended publicly Secretary of Welfare Cohen

on a number of occasions for his expeditious work in granting these grants to the people who are in need. But, Mr. Speaker, in this case what has happened is that with the cut of the Federal funds, we fall drastically short in supplying grants to the people of this State, and what in fact has happened is that without notice, without warning, without previous knowledge, your neighbors and mine across this State are being denied an opportunity to receive funds that they badly need.

We all know that the department is equipped right now and set up right now to deliver this money to our constituents. All that is necessary is that we give them the funds to work with. Mr. Speaker, the gentleman does not provide the amount of money that is necessary. That money would be utilized rather quickly, and the end result, Mr. Speaker, would be, again, a shortfall of funds.

We are not giving the Welfare Department a blank check. We are not asking them to pay out moneys that are not available. We are saying that this House of Representatives is backing up the effort of the Welfare Department to pay out these moneys, and, Mr. Speaker, Mr. Hayes' amendment will not do the job for your constituents. They will be back after you because he only covers those who have had their applications in prior to January 4. He does not cover those thereafter. And I know for a fact the department stopped accepting those applications. I know how many people have contacted my office.

Mr. Speaker, we cannot supply the needed moneys in this amendment, and I ask for a negative vote.

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

Mr. KUKOVICH. Thank you, Mr. Speaker.

I agree with Representative Laughlin. This amendment really is nothing more than a smokescreen in an effort to defeat any direct assistance to a large number of families who are eligible for energy assistance this year. About 67,000 families will be omitted from any energy assistance if we do not pass HB 110 in its unamended form. Those are figures given to us by Secretary Walter Cohen of the Governor's administration, of course.

Even Senator Stauffer, who has admitted this bill in the Senate, has admitted that the money in question, the \$19 million, is already committed to people who have applied who are eligible. This is not new money; it does not help those 67,000 families, at least, in any way.

If we accept this amendment and gut this bill, then we are directly denying individuals who have been eligible in the past from receiving any assistance. That is what the bottom line of this amendment is.

I would call to your attention that in other States, those in the Northeast, they are supplying \$62 million in New Jersey, \$39 million in Ohio, \$65 million in Michigan, and \$17 million in Massachusetts. That is to supplement the Federal energy assistance program. We are asking for a bare minimum of State funds, which I think many of us on both sides of the aisle feel we have a moral obligation to provide. For those reasons, I would ask for a negative vote on this amendment.

The SPEAKER. The Chair thanks the gentleman.

On the Hayes amendment, the Chair recognizes the gentleman from Centre, Mr. Letterman.

Mr. LETTERMAN. Thank you, Mr. Speaker.

Mr. Speaker, I have a question for Mr. Hayes.

The SPEAKER. The minority whip indicates he will stand for interrogation. Mr. Letterman is in order and may proceed.

Mr. LETTERMAN. Mr. Speaker, would your amendment include people who have used up their full allotment?

Mr. HAYES. Yes.

Mr. LETTERMAN. Thank you.

May I ask the same question of Mr. Laughlin as to what the bill would do?

The SPEAKER. The gentleman, Mr. Laughlin, stands for interrogation. Mr. Letterman may proceed.

Mr. LAUGHLIN. I heard the gentleman say that if you have used up your total allotment, that his amendment would cover those people, Mr. Speaker, and as a followup to that, would you please allow me to question him before I answer your question?

Mr. Speaker, the legislation deals with Federal provisions granting States the opportunity to designate the amount of money and how it will be disbursed to their people. Would you like to tell me, sir, how you are going to give additional moneys to those people, as Representative Letterman has indicated, who have already exhausted their eligibility?

Mr. HAYES. Mr. Speaker, surely you know the answer to that question. If you do not know the answer to that question, I suggest you should yield to someone who does know the program.

There are three parts to the heat assistance program - one, the prepaid grant; two, crisis grants; and of course, three, the cost to administer the program.

After all of your numbers which we were entertained with a moment ago, you did not want to talk about crisis grants that are still going to be available with or without my amendment. My amendment will allow those low-income families who are in fact at a loss with regard to available heat in their homes to receive a crisis grant during the remaining weeks and months of this particular season, and you know very well that that is the case.

When I said yes to the gentleman, Mr. Letterman, there is no more accurate way to state it than that. The answer to the gentleman's question is, yes, there will remain moneys available for crisis grants.

Mr. LAUGHLIN. Mr. Speaker, I want to be sure about what your question is. Your question was if in fact they have received, and Mr. Minority Whip over there indicates that he wants to be sure we know what the program is. Well, it is obvious that he does not, because you can only receive the singular grant and a crisis grant. You are not then eligible to a multiple of crisis grants, and your question, I believe, Mr. Speaker, was, would his program add additional or take care of additional grants to people who have already exhausted their benefits, and he said yes. Now, that to me is very plain and very inaccurate.

Mr. LETTERMAN. Well, that is my question.

May I make a statement, sir?

The SPEAKER. The gentleman may make a statement on the amendment.

Mr. LETTERMAN. The reason my question was asked is I do not want to see a piece of legislation passed here and go out in the newspapers that we have passed additional money for these people, only to find out that the people who have already used up their maximum grant would not be eligible. I was just trying to clarify it so that when we put it in the paper, the people would know. Thank you very much.

The SPEAKER. The Chair thanks the gentleman.

On the adoption of the Hayes amendment, the Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I rise in opposition to the Hayes amendment.

Mr. Speaker, very simply, the Hayes amendment guts the proposal that is before us today and substitutes in its place the proposal that Senator Stauffer made in the Senate. Mr. Speaker, we are not trying to change the program in any respect by the bill that is before us, without the Hayes amendment, than was in effect last year. Those unfortunate people who have applications pending and those more unfortunate persons and households that never had an opportunity to file an application are not going to be taken care of insofar as fuel assistance is concerned if the Hayes amendment is passed.

Last year, last year, some 426,000 households were supplied energy assistance. So far this year, without the 48,000 pending applications, about 300,000 have been assisted. With the 48,000 or 50,000 applications that are yet pending, there are still an estimated 76,000 households eligible for assistance that will not receive assistance. Now, it is not like the Secretary of Welfare or the agencies disbursing the aid announced that applications could be filed between this period and January 4. There was no preannounced deadline, and there was no reason to believe, in these 76,000 households, that there still was not time to file the applications as needed. The shutoff came very abruptly; the shutoff came without warning; and it caught at least 76,000 households that received energy assistance last year without the ability to obtain assistance this year. And if you multiply those 76,000 households, all we are saying is we want to appropriate enough money to take care of what we took care of last year, and the only reason we are not able to do it out of the available moneys is that grants have been cut from the Federal Government in total and the individual grants have been expanded.

Mr. Speaker, Pennsylvania is one of the few States in the Northeast, where the energy costs are high and the cold is there, that does not provide State funds in an energy assistance program. New Jersey provides State funds, Michigan, Ohio: they all provide State funds. We do not provide one penny of State funds. As small as New Jersey is compared to Pennsylvania, they are supplying \$60 million in State funds in fuel assistance to the residents of their State.

Mr. Speaker, it is unfair, it is unfair, to have shut off eligible families and eligible households without a preannounced

shutoff date, and those families should be assisted, and that is what the proposal before us today is to do. The Hayes amendment takes all of that assistance away from them. The Hayes amendment guts the entire bill and throws \$3 million at a \$25-million problem.

Mr. Speaker, I urge a defeat of the Hayes amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority whip.

Mr. HAYES. Thank you, Mr. Speaker.

I would like to respond to each of the previous speakers—the gentleman, Mr. Manderino; the gentleman, Mr. Laughlin; and the gentleman, Mr. Kukovich.

Mr. Laughlin talked about numbers of people and indicated that I mentioned erroneous numbers. I would just like the record to show that the numbers that I responded to were the 48,000 that Mr. Laughlin made reference to, and there is no disagreement. I made no reference to erroneous or any other numbers which he could categorize as erroneous.

There have been comments made by the three speakers individually about shutting off all of that assistance. Mr. Manderino just said that the Hayes amendment shuts off all of that assistance, and Mr. Laughlin did not really like to have to answer Mr. Letterman's question, because Mr. Laughlin would like you to believe that "all of that assistance is being shut off." Both of them are wrong. They can stand here the rest of this day and cite any number of rhetorical numbers that they want to cite. This amendment does not shut off all those people who need assistance.

Remember what I said, Mr. Speaker: There are two types of heating assistance grants; two types; two types. Mr. Manderino and Mr. Laughlin would like you to believe there is only one type, and if you do not get that one type of grant, you will not get any kind of assistance. They are wrong if they believe that, and they are wrong and using poor leadership if they would have you believe that. So let us, the rest of us, talk.

If you go back to last year, Pennsylvania was finding itself unable to use all of the Federal moneys coming to this Commonwealth for heat assistance purposes. Pennsylvania was not alone. Other States in the Northeast and the Midwest also found themselves in this situation. Messages were being received from the Congress that these moneys, if not used in the Northeast and the Midwest, would be diverted to the Sun Belt for air-conditioning purposes in the summer. So what happened last year? Even though winter had long passed, even though winter had long passed, and everyone had survived it, we started a recruitment program in the Commonwealth of Pennsylvania which took place in the summer months. I am going to tell you something I will bet you did not know. Twenty dollars per application was given to community-based organizations, poverty agencies, call them what you will; \$20 per application. If you were a person working one of those organizations outside of government—this was not the Department of Welfare—if you were a person working in one of those organizations, you could gain \$20 for every application you could go out and gather up across Pennsylvania for heating assistance purposes, even though it is now

summer 1984, so that those Federal moneys could be used and so that Pennsylvania would not lose its Federal dollars to the Sun Belt for air-conditioning purposes.

Let Mr. Kukovich, let Mr. Laughlin, let Mr. Manderino take the microphone and say Pennsylvania has never been able to satisfy the heating assistance requirements for its citizens by just using Federal dollars. Mr. Speaker, in each and every year Pennsylvania has been able to satisfy its heating assistance requirements through the use of these Federal tax dollars. And so I ask you, why should we be taxing the people of Pennsylvania twice? They are already sending their tax dollars to Washington, and now Mr. Laughlin, and I presume his advocates, Mr. Manderino and Mr. Kukovich, would like us to spend tax dollars twice here in Pennsylvania. Not one year can they cite where Pennsylvania has failed to meet the heating assistance requirements of its citizenry through the use of Federal dollars; not one time; not one time.

Mr. Manderino and Mr. Laughlin, and I do not know, maybe Mr. Kukovich as well, talked about the fact that people never had an opportunity to file an application. Ask the recorder to read it back to us. That is what Mr. Manderino said. These folks never had an opportunity to file an application, and he stopped. Let me tell you what efforts have been made to alert people of the program available to them here in the Commonwealth of Pennsylvania.

Citizen alert messages—listen closely—450,000 applications were mailed in August of 1984 to former recipients of the heat assistance program, automatically mailed to them at public taxpayer expense. The 450,000 people who had been recipients of the program last year had mailed to them applications for the upcoming heating season, the one we are in right now. Mr. Manderino states that they never had an opportunity to file. How can he say that? Now, he can say it, but you do not have to believe it. Four hundred and fifty thousand applications were mailed in August of 1984 to former recipients. That is not all that was done. Stuffers were placed in the envelopes going out to medical assistance cardholders in Pennsylvania. Envelope stuffers were put out in utility mailings all across Pennsylvania. Outreach materials were mailed to fuel vendors and utilities.

We all know that we have had a lot of public service announcements and press releases. One of our own colleagues, Dave Richardson, put one out in December and told everybody in Pennsylvania. Applications have in fact been distributed by utility companies, fuel vendors, area agencies on aging, community action agencies. Outreach materials were distributed in Spanish to the Spanish community. And if necessary, county assistance office personnel made home visits to help homebound individuals fill out applications. How can it be said that people did not have an opportunity to fill out an application? How much more could government do? How much more can they reasonably expect it to do? Everyone who received heat assistance in 1984 received notification of this program. Mr. Laughlin is hardly right when he said everything came to an end without any notice being given of the program, or Mr. Manderino saying people have not

had sufficient time to make application, and whatever else maybe Mr. Kukovich may have offered in that regard. Since August of 1984 every reasonable effort has been made to alert people that again this year there is going to be a heat assistance program in Pennsylvania.

A great deal of attention has been given to numbers of people. Mr. Manderino made reference to numbers last year and he made reference to numbers this year. I would just like to join for a brief moment with Mr. Laughlin when he talked about the Department of Welfare figures. He seemed to agree with them. Whether he will continue this afternoon to agree with them, I do not know. But Mr. Manderino used numbers different than those that are commonly agreed to by persons working with the Department of Welfare on this matter. I made note of the numbers that Mr. Manderino was using. He was not using Department of Welfare numbers; he was using numbers prepared by the Philadelphia Unemployment Project. Now, he has every right to use whatever numbers he wants to use, but let us understand whose numbers he is using. They are not agreed-to numbers; they are numbers published by some organization in Philadelphia that has an interest in this bill.

Almost without exception they talked about the other States. Maybe you saw the program on television; it is a public television program. I saw and listened to Mr. Kukovich giving a speech and I saw placards in the background or around him or in the meeting room that talked about these other States that are doing so much for their citizens. We have heard about it again here today. For instance, I saw a placard talking about the State of Ohio, and we have heard today about some other States. Only 10 States in the whole United States of America provide any type of State-generated revenue for their citizens, so let us not at the outset believe that 49 other States in America, 49 other States of America, are putting in all kinds of State-generated revenues. Only 10, only 10.

Four of the 10 States—which includes Ohio, by the way, and their placard was prominently displayed—provide State-funded energy assistance only for the elderly and disabled individuals. I do not care how many dollars that they may put in the program, it is only for the elderly and disabled individuals. Ohio has the largest such program - \$42 million. New Jersey has \$55 million. Now, listen to Pennsylvania's figure. Pennsylvania spent \$200 million last year on supplemental grants to the elderly for various things that we provide for the senior citizens of this Commonwealth. Mr. Speaker, add Ohio and New Jersey together if you will, and Pennsylvania is still providing more. Add them together; do it. Your arithmetic would be a sum of 42 plus 55; that certainly falls short of \$200 million, which is the kind of assistance that we give to our senior citizens.

But you know what, Mr. Speaker? Their reference to those other States brings up a larger question: What are we doing for our citizens here in Pennsylvania versus what is going on in other States of the Union? I could recite the litany of things which Pennsylvania does in the area of general assistance, what they do in the area of medical assistance, on and on and

on. The truth of the matter is Pennsylvania does a great deal more than any of those States, any of those 10 States that Mr. Kukovich, Mr. Laughlin, or Mr. Manderino want to make reference to.

The larger question is this: Are you going to start another welfare program? Mr. Kukovich lost the welfare reform battle; he has lost it not once but twice. We reformed the system and rejected his effort to attack it last session. Now, here we come again with another program, a \$25-million program that goes beyond what is needed. It is another welfare program that, by the way, is the most gracious; our heat assistance program is the most gracious of any of those that Mr. Kukovich, Mr. Manderino, or Mr. Laughlin could make reference to.

Are you ready for this? In Pennsylvania you do not have to be a United States citizen to receive these tax dollars. They did not mention that, did they? You do not have to be a United States citizen to receive the benefits. Now, maybe it is not their responsibility to tell you that, but we should know that. But that is not the only thing that makes it the most gracious. Look at the maximum amounts available; Pennsylvania will be higher, on and on and on. Your taxpayers, the people you represent, do not have to be ashamed of what they are providing for those people who need heat assistance.

It is possible in Pennsylvania under our program to have your entire heating bill paid, depending on your circumstances - economic, geographic location, type of fuel used, those sorts of things. It is possible in Pennsylvania to have your entire heating bill paid. Mr. Kukovich knows that. Mr. Manderino, I think, would know that; Mr. Laughlin, too, although he did have some difficulty in understanding the program.

It is true that the prepaid, the prepaid grant program, the application period came to an end on January 4. Remember, it ran since August; it started in August and ran through January 4, and notice went out to all those persons who had been recipients in 1984, and that resulted after this recruiting program, this program of bounty hunting, this \$20 per application from August to January 4. That was the prepaid application period whereby an eligible applicant would have a prepaid grant received by their fuel vendor. If the fuel vendor, by the way, did not want to participate in the program, then the money went directly to the recipient. That part of the program, that one part of the program came to a close on January 4. If there are people—and I will say it now for the third time—if there are people who face a crisis, who have a loss of heat, who are threatened by the possible termination of their heat source, they can still get a crisis grant, they can still get a crisis grant, and it is wrong for anyone to misrepresent that fact.

So, Mr. Speaker, to answer Mr. Kukovich, Mr. Laughlin, and Mr. Manderino, there will still remain crisis grants. And I ask you, Mr. Speaker, is there any here among us who believes for one moment that if by chance this year, 1985, is the year that we in fact run out of Federal dollars, is there anyone here who believes for one moment that this General

Assembly will not make an effort to respond? Mr. Richardson just said yes. This General Assembly, Mr. Speaker, and the taxpayers whom it represents has done a very good job indeed over the many, many years of its existence in responding to the true needs of its citizenry. I believe that there would be a majority here at least, if not in fact unanimous, there would probably be a majority here if it can be shown that all Federal moneys have expired and there still yet remains a real crisis with regard to heating assistance; the General Assembly will respond. That is not for me to promise; that is the history of the General Assembly, and that General Assembly is not serving in its first term; that has been its history through the course of human events in this Commonwealth. If we in 1985 for the first time use up all of our Federal moneys, not all is lost. We can have a supplemental appropriation to provide what is yet needed to get through the remaining weeks and months of this heating season.

Something about this particular heating season; that is something else they did not want to mention. Last year was a colder year than the current year. That is not Sam talking; they are the figures as compiled by the weather service. That does not mean we have not had 1 or 2 days that were colder than all of the days last year, but if you take the degree days of the current year starting in the heating season through present, they are warmer than last year. I do not know, Mr. Speaker, what the jet stream will do to us in the remaining weeks. Your numbers may be speculative; maybe they will prove themselves right, but as of date, we have a warmer year so far than last year.

Let us adopt the amendment. If Messrs. Kukovich, Manderino, and Laughlin need more money later, let them come back and ask for it. You know what they are really doing? It is an assault on the tax-cut proposal. They want to encumber \$25 million of your taxpayers' hard-earned dollars. That is what it is all about - the encumbrance of money - and it is not small change; it is \$25 million. They should not get away with encumbering that much without a displayed need. Let us not deal in speculation.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes, on the Hayes amendment for the second time, the gentleman, Mr. Kukovich.

Mr. KUKOVICH. Thank you, Mr. Speaker.

I almost do not know where to begin. Mr. Hayes, I think, was very skillful in obfuscating the real issues. First of all, let us make it very clear about the nature of the assistance.

When Mr. Hayes talks about the crisis grants, for the most part he is correct. We are concerned about the assistance money that has run out. There is enough money to help with some crisis programs. Let us not get bogged down with people who have had emergencies where they are shut off or there has been a breakdown in their heating system. Some of that crisis money is available; not as much as last year, but it is still available. Mr. Hayes is right about that, but he tries to mislead you whenever he says that all the families will be taken care of.

I am not going to use anybody's figures from anyplace else. I will use a press release issued by this administration's Secretary of Welfare from December 26 of 1984 when he announced that the \$122-million Low Income Home Energy Assistance Program would be distributed and would help 350,000 households, many, many thousands of households less than are actually eligible.

The money that Mr. Hayes is trying to use to gut out this bill is from that amount, from that same block grant. It is not a double dip; it is money already committed. Whenever he tries to beg the question by talking about non-U.S. citizens using that money, he is talking about regulations or a program that is allowed by the very money that he is trying to use. That is the hypocrisy of that argument. He is trying to say that there is not an energy crisis. Well, it is not just people from Philadelphia or people from other parts of the State who are unemployed. The utility companies themselves have testified before the Public Utility Commission that there is a crisis. People on both sides of the aisle from every area of the State have admitted that there is a crisis, and when my constituents call me at home because they cannot get assistance, that is a crisis.

The other point that Mr. Hayes made smoothly but erroneously was this talk about a lack of opportunity. He was correct when he talked about the mailings that went out in August. The Welfare Department did an excellent job of outreach this year. In previous years money has been rolled over; not this year because of the outreach they did. But where there is a problem is the fact that people who had received assistance in previous years were not notified that the fund had run out. The weather did not get cold until January. They go to get their assistance, and then they find out that the money is not there. That is an outrage, and I think Mr. Hayes is aware of that.

Mr. Speaker, Mr. Hayes had issued some challenge about us saying that Pennsylvanians are not being served. The outreach that was done this year shows that a number of eligible participants in Pennsylvania had no knowledge of this program. Federal money was rolled over and not used when we could have used it to help people in the past, and now that problem has come home to roost. And Mr. Hayes talks about only 10 States putting in State money for this program. That is because those are the States where it is the coldest, where there is the highest unemployment, where people are in need.

I cannot impress upon the members of this chamber enough that we are in the midst of a crisis, and I do not care what types of political ploys he tries to throw in front of you to sidetrack that issue. We are in a crisis, and if any of you have dealt with constituents just in the last few weeks, you are aware of that crisis in each and every one of your districts.

Mr. Speaker, I implore you to do the reasonable thing, to vote "no" on this amendment and pass this bill as quickly as we can. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the gentleman, Mr. Hayes, asked what more government could do. The utility companies told everyone to file applications. The government told everyone to file applications. The heating dealers told everyone to file applications. What more could anybody have done? Well, what more they could have done was told them that on January 4 we are going to cut off applications. But nobody told them that. Last year, Mr. Speaker, they took applications in December; they took them in January; they took them in February; they took them in March; they took them in April; they took them in May; and they took them in June. Can anybody say, Mr. Hayes asks, that Pennsylvania has not been able to satisfy the heating assistance requirements of its citizens? Mr. Speaker, Pennsylvania has not been able to satisfy the heating assistance requirements of its citizens. I said it. Not only did I say it, Mr. Speaker, I want to quote to you from a letter of the Governor of Pennsylvania. He says, "Although I am pleased with the operation of this year's program, I am also concerned that we will run out of funds...we had planned to pay benefits to the same number of households as last year. However, at the last minute Congress reduced our allocation by \$16 million."

This was a letter from December, December 20, and in that December 20 letter, Mr. Speaker, the Governor of this Commonwealth knew that he was facing, in his words, "Even though we are facing a possible early closure of the regular LIHEAP program..." we will continue the crisis program. Well, what more government could have done, at least in December, December 20, was to warn the people, you only have 2 more weeks. Nobody was warned, after a year in which they could file applications all the way through to June. What you are doing is changing the rules in the middle of the game.

Now, Mr. Speaker, I do not know whether the two women in Philadelphia who froze to death were residents or citizens. There were residents of Philadelphia. I do not know whether they were citizens, but they are dead. They froze to death.

Mr. Speaker, I know that Congress cut its funds. I know that you want to change the rules in the middle of the game. Without notice you cut off applications. I know, Mr. Speaker, that this was a warm winter, and I know that in the month of December some of us were in shirt sleeves outside; it was that warm in the month of December. And I know the citizens of this Commonwealth who are least likely to apply until there is a real need are the senior citizens of this Commonwealth. They will not make application until they are sure that they are in need of that fuel assistance. Most of those applications that have not been filed because they were cut off abruptly without notice are senior citizen applications. Many of them are.

Mr. Speaker, I think it is the fair thing to do. Open up the application period. Let the applications that would have come in come in. If you want to set a deadline, set a deadline, but do what is fair.

Estimating on what we have served in households last year, there are some 76,000 households still out there eligible that will not receive assistance, and these are welfare figures, and

the figures that I gave you before are Department of Welfare figures, and the quote that I gave you is from the Governor's letter, Dick Thornburgh. He would probably make the same statement that I am making today, that we are unable to satisfy the heating assistance requirements of our citizens without spending State funds. The Federal funds are gone.

When we mention to you, Mr. Speaker, that other States have provided assistance programs - New Jersey with \$62 million in State funds; Ohio with \$39 million; Michigan with \$65 million; Massachusetts with \$17 million; Indiana with \$12 million - Mr. Speaker, the residents in Pennsylvania needing fuel and energy assistance get just as cold in the wintertime as those in these States that have seen fit to provide assistance.

I ask you to be a little more compassionate, Mr. Speaker. I ask you not to try to tell this General Assembly that meeting the requirements for the crisis allocation is the same as being eligible under the main program, because that is what you are telling them. You are telling them that everyone out there who is eligible can get help under the crisis program, and you know that is not true. You know your fuel has to be shut off. You know you must be freezing in the household or you must have a breakdown in the heating apparatus before you are eligible for crisis. What you know most of all, Mr. Speaker, is that the moneys allocated to the crisis program are no more than were necessary for those kinds of crises during last year's heating season. So there is no extra money there. There is enough money there to take care of the real emergencies, and we cannot pile upon the real emergencies those eligibilities which it was unfair to cut off without prior notice.

Mr. Speaker, I ask for defeat of the amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Centre, Mr. Letterman, for the second time.

Mr. LETTERMAN. Thank you, Mr. Speaker.

I would like to question Mr. Laughlin, please.

The SPEAKER. Mr. Laughlin indicates he will stand for interrogation. You may proceed.

Mr. LETTERMAN. Mr. Speaker, the money that is in the Sam Hayes amendment, are you telling us that that money is already spent?

Mr. LAUGHLIN. Mr. Speaker, if you take the figures that Mr. Hayes has in his possession, which he agrees are accurate from the Secretary, that there were 48,928 people who had a pending application as of 1/16 and there were not funds to fill those particular applications, you will see that the moneys are already obligated by multiplying the average payment on this assistance, which up to 1/16 of 1985 was \$303.60, and for the total of the year, from 9/26/84 to 1/16/85, the average was \$318.93, which, if you multiply by the 48,000 or if you wish to use the 50,000, which would round it off, you would find out that the moneys are already obligated and spent that he is talking about, Mr. Speaker.

Mr. LETTERMAN. I never did get a complete answer from you. Would the people under your bill who have already used their maximum be eligible for any further assistance?

Mr. LAUGHLIN. Mr. Speaker, under the Federal guidelines and under the guidelines established by the Welfare Department of this State, you are eligible for a one-time cash component grant; you are eligible for a crisis grant, per season. It does not say you are eligible for ongoing crisis grants or anything else.

I had the occasion to have my constituents call me and say, Chuck, I got a \$300 grant to pay my gas bill, and I was also behind in my electric bill; I got an additional grant to take care of my electric bill by way of having a turnoff. That means they received two grants, Mr. Speaker. They received the initial cash grant and the crisis grant. That is all they are eligible for, and that is all this legislation covers. It does not say that someone who has already gotten \$600 will get another \$600. What it says is that those people who have not signed up and have not received their grants and those that are pending will be allowed to receive help from the State. It will not be a double dip, Mr. Speaker.

Mr. LETTERMAN. Is there any provision in your bill—What would happen to the money that is not used? If the \$25 million was appropriated, what would happen if there was any left over?

Mr. LAUGHLIN. Mr. Speaker, I know that that could seem to be a confusing situation, but at the end of every fiscal year, Mr. Speaker, unobligated funds of those departments once again return to the General Fund for distribution. They lapse, Mr. Speaker.

Mr. LETTERMAN. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

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

Mr. LLOYD. Thank you, Mr. Speaker.

There are many things that Mr. Hayes says in his views on this particular issue with which I may agree. I agree with Mr. Hayes that we ought not to be out beating the drums to bring people into this program who really do not need to be there. I suspect Mr. Hayes and I might agree that the income eligibility guidelines for this program are a little more liberal than they ought to be. But there are a number of things which Mr. Hayes said which I think are wrong, and frankly, one that he said I find offensive and I hope is not going to be repeated again in this session of the legislature: We went through last year some of this redbaiting and we should not help this person because he is not a citizen, and do not vote for this because some one person out of a thousand who is not a citizen might be eligible. I do not think that kind of argument makes any sense unless Mr. Hayes is prepared to say that people who are not citizens who go into the stores of this State do not have to pay the sales tax; people who are not citizens do not have to pay any income tax or any of the other levies that the Commonwealth of Pennsylvania imposes upon them. I think that kind of argument on the floor of the House is an attempt to stray from the intellectual issues involved and is not necessary and is not appropriate.

Now, Mr. Hayes also suggests that somehow there has been sinning involved here. Somebody has gone out and brought in

all of these people. I could hear the rhetoric of the wily welfare careerists, and I can only ask, who was in charge of doing that? Walter Cohen. And whom does he work for? Dick Thornburgh. So, you know, if we are going to have that kind of finger pointing, let us go across the hall and discuss that.

Furthermore, the suggestion was made that somehow maybe \$25 million is too much, and maybe it is. I am convinced \$3 million is not enough. I know that the people who run the welfare office in my county, a county which is very conservative about those kinds of things, have told me that five or six people come in every day who would be eligible for this program but for the fact that the January 4 deadline has passed. Now you say, why did not all those people come in before? Well, the reason a lot of those people did not come in before is they were not eligible before. We know that there is a rolling average in terms of income for eligibility for this program, and I had some people in my office that when I called the welfare office, they said, well, this person has been laid off - a person who paid into the Unemployment Compensation Fund, a person who pays income tax - and is not eligible now, but if she is not called back to work in the factory by January, she will be, and tell her to come in then. As it turns out, that was bad advice, because she does not qualify anymore.

What is really involved here is a question of a double standard. Now, whether we ought to change the rules for next winter or not, I do not know, and I think that we probably should. I think we are probably going to have to, because we are not going to have unlimited funds available. But we cannot have a situation in which people who happen to get on one side of the line, a line that they did not know and other people did not know was going to exist, get one level of benefits and people who happen to fall on the other side of the line, whose circumstances in terms of income are the same or worse, get either zero money or a lesser amount. That is not fair. That is a question of equity.

Finally, Mr. Speaker, I hope that Mr. Hayes will join with me and other members of the General Assembly who want to make some real changes over in the North Office Building where the Public Utility Commission resides, because the irony of this whole debate is, here we are with what is being portrayed as a welfare bill for the wily welfare careerists, which is in fact a welfare bill for the public utility companies of this State, because we have allowed electric and gas rates to go through the overhead that people cannot afford to pay. Now, there is a solution to that, and we do not have to keep tapping the State and Federal Treasuries, and that solution is some real reform later on this year, and I just hope that Mr. Hayes will be standing tall at that time and defending the taxpayers of this State.

I ask for a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

Mr. Laughlin, you are listed as having spoken twice.

Mr. LAUGHLIN. I beg your pardon, Mr. Speaker?

The SPEAKER. Mr. Hayes, Mr. Laughlin, Mr. Kukovich, Mr. Letterman have all spoken twice. Mr. Lloyd is the only one who debated who has not debated twice. The rule is that you may not speak more than twice on the same issue.

Mr. LAUGHLIN. Mr. Speaker, I accept the ruling.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—86

Argall	Dietz	Johnson	Saurman
Arty	Dininni	Kennedy	Scheetz
Barley	Distler	Lashinger	Schuler
Birmelin	Dorr	McClatchy	Semmel
Black	Durham	McVerry	Serafini
Book	Fargo	Mackowski	Sirianni
Bowser	Fischer	Manmiller	Smith, B.
Brandt	Flick	Merry	Smith, L. E.
Bunt	Foster, Jr., A.	Micozzie	Snyder, D. W.
Burd	Fox	Moehlmann	Snyder, G. M.
Burns	Gallen	Mowery	Stairs
Bush	Geist	Nahill	Stevens
Carlson	Gladeck	Noye	Swift
Cessar	Godshall	Perzel	Taylor, E. Z.
Chadwick	Greenwood	Phillips	Telek
Cimini	Gruppo	Piccola	Vroon
Civera	Hagarty	Pitts	Wass
Clymer	Hayes	Reber	Weston
Cornell	Herman	Reinard	Wilson
Coslett	Hershey	Robbins	Wogan
DeVerter	Honaman	Ryan	Wright, J. L.
Davies	Jackson		

NAYS—112

Acosta	Dombrowski	Levin	Richardson
Afflerbach	Donatucci	Linton	Rieger
Angstadt	Duffy	Livengood	Rudy
Baldwin	Evans	Lloyd	Rybak
Barber	Fattah	Lucyk	Saloom
Battisto	Fee	McCall	Seventy
Belardi	Freind	McHale	Showers
Belfanti	Fryer	Maiale	Staback
Blaum	Gallagher	Manderino	Steighner
Bortner	Gamble	Markosek	Stewart
Bowley	Gannon	Mayernik	Stuban
Boyes	George	Michlovic	Sweet
Broujos	Gruitza	Miller	Taylor, F. E.
Caltagirone	Haluska	Morris	Taylor, J. J.
Cappabianca	Harper	Mrkonic	Tigue
Carn	Hasay	Murphy	Trello
Cawley	Howlett	O'Donnell	Truman
Clark	Hutchinson	Olasz	Van Horne
Cohen	Itkin	Oliver	Veon
Colafiglia	Jarolin	Petrarca	Wambach
Cole	Josephs	Petrone	Wiggins
Cordisco	Kasunic	Pievsky	Wozniak
Cowell	Kenney	Pistella	Wright, D. R.
Coy	Kosinski	Pratt	Wright, R. C.
Deluca	Kukovich	Pressmann	Yandrisevits
DeWeese	Laughlin	Preston	
Daley	Lescovitz	Punt	Irvis,
Dawida	Letterman	Raymond	Speaker
Deal	Lvdansky		

NOT VOTING—1

Langtry

EXCUSED—4

Freeman O'Brien Pott Williams

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

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

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

Mr. LAUGHLIN. Mr. Speaker, there is an amendment to be offered for clarifying language in the bill.

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

Mr. LAUGHLIN offered the following amendment No. A0082:

Amend Sec. 5, page 3, line 29, by inserting after "for"
any one or all of the three purposes delineated in subsection (a) under

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

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

Mr. LAUGHLIN. Mr. Speaker, very briefly. Earlier in the day, a gentleman from the opposite side mentioned the fact that some of us may not be as clear on the program as we might be. I find that an erroneous statement, as I said before, and that is the reason for the offering of this amendment, Mr. Speaker.

In the bill itself, Mr. Speaker, it designates very clearly the use of the money to be utilized only after the total use of Federal moneys has been accomplished. Now, Mr. Speaker, some wily person, one of those wily people that Mr. Lloyd mentioned, welfare seekers or welfare permanent dependents, unlike them there might be people in Welfare, in the department, who would utilize this against the people whom we intend to help.

This amendment merely says that when the funds for any of those individual funds, or collectively, are depleted, then State money can be utilized. It is for clarification purposes, Mr. Speaker. I do not believe there would be an objection.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—198

Acosta	Deal	Lashinger	Rieger
Afflerbach	Dietz	Laughlin	Robbins
Angstadt	Dininni	Lescovitz	Rudy
Argall	Distler	Letterman	Ryan
Arty	Dombrowski	Levdansky	Rybak
Baldwin	Donatucci	Levin	Saloom
Barber	Dorr	Linton	Saurman
Barley	Duffy	Livengood	Scheetz
Battisto	Durham	Lloyd	Schuler
Belardi	Evans	Lucyk	Semmel
Belfanti	Fargo	McCall	Serafini
Birmelin	Fattah	McClatchy	Seventy

Black	Fee	McHale	Showers
Blaum	Fischer	McVerry	Sirianni
Book	Flick	Mackowski	Smith, B.
Bortner	Foster, Jr., A.	Maiale	Smith, L. E.
Bowley	Fox	Manderino	Snyder, D. W.
Bowser	Freind	Manmiller	Snyder, G. M.
Boyes	Fryer	Markosck	Staback
Brandt	Gallagher	Mayernik	Stairs
Broujos	Gallen	Merry	Steighner
Bunt	Gamble	Michlovic	Stevens
Burd	Gannon	Micozzie	Stewart
Burns	Geist	Miller	Suban
Bush	George	Moehlmann	Sweet
Caltagirone	Gladeck	Morris	Swift
Cappabianca	Godshall	Mowery	Taylor, E. Z.
Carlson	Greenwood	Mrkonic	Taylor, F. E.
Carn	Gruitza	Murphy	Taylor, J. J.
Cawley	Gruppo	Nahill	Telek
Cessar	Hagarty	Noye	Tigue
Chadwick	Haluska	O'Donnell	Trello
Cimini	Harper	Olasz	Truman
Civera	Hasay	Oliver	Van Horne
Clark	Hayes	Perzel	Veon
Clymer	Herman	Petrarca	Vroon
Cohen	Hershey	Petrone	Wambach
Colafella	Honaman	Phillips	Wass
Cole	Howlett	Piccola	Weston
Cordisco	Hutchinson	Pievsky	Wiggins
Cornell	Itkin	Pistella	Wilson
Coslett	Jackson	Pitts	Wogan
Cowell	Jarolin	Pratt	Wozniak
Coy	Johnson	Pressmann	Wright, D. R.
Deluca	Josephs	Preston	Wright, J. L.
DeVerter	Kasunic	Punt	Wright, R. C.
DeWeese	Kenney	Raymond	Yandrisevits
Daley	Kosinski	Reber	
Davies	Kukovich	Reinard	Irvis,
Dawida	Langtry	Richardson	Speaker

NAYS—0

NOT VOTING—1

Kennedy

EXCUSED—4

Freeman O'Brien Pott Williams

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?

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?

On final passage, the Chair recognizes the minority leader.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, for all of the reasons discussed by Mr. Hayes several moments ago, I am going to vote "no" on this particular bill and ask for a "no" vote.

I think if this crisis is upon us, as Mr. Laughlin would lead us to believe—and I am not suggesting that it is not true—perhaps what we should have done is taken the bill that passed the Senate yesterday 48 to 0, which I presume is in the hands of the House. That bill could have been moved and passed this week, which would have provided a great deal of the

money. It would have represented exactly what Mr. Hayes was intending to do by his amendment. The crisis could have been met.

I, too, worry about the impact of taking the \$25 million out of the General Fund when here, earlier today, I, at least, spoke up in favor of giving back to the people of the Commonwealth \$161 million. I heard where the other side was interested in giving back \$25 million to industry, and there was some argument, of course, on the other \$25 million for the "sunny day" or "rainy day" fund. But to take \$25 million now out of the General Fund approximately 3 hours after we had already allocated it to the people or to industry or to a "sunny" or "rainy day" fund, whichever, does not make much sense to me. There are Federal dollars available under our control; the Senate has passed that 48 to 0. I daresay that they might not look as favorably upon this as we would be led to believe. The real solution to the problem, the practical solution to the problem, the quick solution to the problem, would be probably recommitting this particular bill, getting the Senate bill out of committee immediately, and we could have passed it this week.

I am voting "no." I would urge those of you who have listened to me to give some thought to what I have said and perhaps join me in a "no" vote.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the gentleman from Beaver, Mr. Laughlin, on final passage.

Mr. LAUGHLIN. Mr. Speaker, I am not going to belabor the point. I am certain that the members of the Republican side of the aisle, as well as the Democratic side of the aisle, know what the issues are. We are trying to supply money to those who have not had an opportunity and those who do not find sufficient funds in the Welfare Department, after already having applied, so that they can be treated fairly and equally, as all the citizens of Pennsylvania should be.

Mr. Speaker, I do not take offense at the minority leader or anyone else making his point on that issue. But, Mr. Speaker, in all honesty I can say this, that as early as December 5 of last year, I sent a letter to the Speaker of the House and I sent a letter to the Governor, a portion of which was read to you today. Dave Richardson, Allen Kukovich, and I have worked on this bill and on this legislation collectively. The Speaker of the House, the majority leader, and Republican members have told us of their concern in the same area.

I would ask for an affirmative vote. And, Mr. Speaker, if, as the minority leader indicates, the influence or the connection or the relationship that he has in the Senate as such is a very strong one—and I would hope that it would be—I would ask him to contact the Senate to hear this bill immediately after its passage, so that possibly next week these funds can be available to the people of this State. Thank you.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I know Mr. Laughlin does not consciously mislead us. He nevertheless makes statements such as, if we are to take care of these people who failed to get their applications in by January 4, if we are to take care of

some of these other people, then we must handle the matter his way. That is not so. The \$20 million that was passed by the Senate of Federal money, the \$20 million that Mr. Hayes offered as an amendment of Federal money would have taken care of every one of the known applicants—known applicants, these 48,000, whatever it is—who have not been treated. To say that there are 75,000, 65,000, 52,000 is pure speculation. The \$20 million in hand—it has passed the Senate—the \$20 million in hand if we move that Senate bill will take care of every known applicant to date, and we will sit here and argue and speculate and use up \$25 million if we would have Mr. Laughlin have his way, \$25 million of General Fund money that we promised earlier today to the people of the Commonwealth.

Use the Federal money up. Use that \$20 million up, Mr. Speaker. If that is not sufficient, come on back in and let us have some known facts rather than speculation, and then we can take a look at the Commonwealth's funds.

The SPEAKER. The Chair recognizes, for the second time, the gentleman from Beaver, Mr. Laughlin, on final passage.

Mr. LAUGHLIN. Mr. Speaker, I do not, as I said, want to belabor the point, and certainly, Mr. Speaker, when the gentleman speaks of speculation, that is all I have heard on his part. He mentions that we have pledged that in the Governor's budget. I heard our majority leader say that we will look at that budget and we will find out where that money should be appropriated appropriately, Mr. Speaker. There was no agreement that you would have your way or we would have our way, but there would be some reconciliation between the two positions.

Mr. Speaker, I believe that this is a fair reconciliation between the positions to make the money available. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On final passage, the Chair recognizes the minority whip.

Mr. HAYES. Thank you, Mr. Speaker.

Mr. Laughlin and Mr. Manderino have quoted widely from various administrative sources. I would just like to quote from them myself, if I could, and they are recent quotes from press statements.

Mr. Cohen said the following: "With our crisis program continuing throughout the winter months, no eligible household will be without fuel or heat in an emergency." That is what Mr. Cohen said.

This is what the Secretary of Budget stated just this week, just yesterday in written form: "There are currently enough Low Income Energy Assistance funds remaining to provide crisis benefits to over 55,000 Pennsylvania households this winter, over 20,000 more households than were served from February through March last year."

Mr. Manderino, you shake your head. Go over there and talk to Mr. Bittenbender. It is his letter.

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

Mr. FOSTER. Thank you, Mr. Speaker.

You know, it might be one thing when you receive two bills in the mail from the same creditor, if they are for \$3.98 or \$17-and-something, to go ahead and pay them because you are not sure about it, but when you have duplicate amounts of money in the amount of \$25 million and you rush willy-nilly and say, oh yeah, we will just appropriate it, what the heck, we will pay it, and you are not even sure of what you are doing on it, that is not good fiscal policy. I am going to vote in the negative on this bill.

The SPEAKER. The Chair thanks the gentleman.

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—139

Acosta	Deal	Letterman	Richardson
Afflerbach	Dombrowski	Levdansky	Rieger
Angstadt	Donatucci	Levin	Rudy
Argall	Duffy	Linton	Rybak
Arty	Durham	Livengood	Saloom
Baldwin	Evans	Lloyd	Seventy
Barber	Fargo	Lucyk	Showers
Battisto	Fattah	McCall	Snyder, D. W.
Belardi	Fee	McHale	Staback
Belfanti	Fischer	McVerry	Stairs
Blaum	Fox	Maiale	Steighner
Bortner	Freind	Manderino	Stewart
Bowley	Fryer	Markosek	Stuban
Bowser	Gallagher	Mayernik	Sweet
Boyes	Gamble	Merry	Taylor, F. E.
Broujos	Gannon	Michlovic	Taylor, J. J.
Burd	George	Micozzie	Telek
Burns	Gruitza	Miller	Tigue
Caltagirone	Gruppo	Morris	Trello
Carn	Haluska	Mrkonic	Truman
Cawley	Harper	Murphy	Van Horne
Cimini	Hasay	Nahill	Veon
Civera	Howlett	O'Donnell	Wambach
Clark	Hutchinson	Olasz	Wass
Cohen	Itkin	Oliver	Weston
Colafella	Jarolin	Perzel	Wiggins
Cole	Johnson	Petrarca	Wilson
Cordisco	Josephs	Petrone	Wogan
Coslett	Kasunic	Pievsy	Wozniak
Cowell	Kenney	Pistella	Wright, D. R.
Coy	Kosinski	Pratt	Wright, R. C.
Deluca	Kukovich	Pressmann	Yandrisevits
DeWeese	Lashinger	Preston	
Daley	Laughlin	Punt	Irvis,
Davies	Lescovitz	Raymond	Speaker
Dawida			

NAYS—58

Barley	Distler	Langtry	Saurman
Birmelin	Dorr	McClatchy	Scheetz
Black	Flick	Mackowski	Schuler
Book	Foster, Jr., A.	Manmiller	Semmel
Brandt	Gallen	Moehlmann	Serafini
Bunt	Geist	Mowery	Sirianni
Bush	Gladeck	Noye	Smith, B.
Carlson	Godshall	Phillips	Smith, L. E.
Cessar	Greenwood	Piccola	Snyder, G. M.
Chadwick	Hagarty	Pitts	Stevens
Clymer	Hayes	Reber	Swift
Cornell	Herman	Reinard	Taylor, E. Z.
DeVerter	Hershey	Robbins	Vroon
Dietz	Honaman	Ryan	Wright, J. L.
Dininni	Jackson		

NOT VOTING—2

Cappabianca Kennedy

EXCUSED—4

Freeman O'Brien Pott Williams

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

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

LETTERS SUBMITTED FOR THE RECORD

The SPEAKER. For what purpose does the gentleman from Beaver, Mr. Laughlin, rise?

Mr. LAUGHLIN. Mr. Speaker, for the point of the edification of those who wish to read the record, and to clarify the letters from the Governor, I would ask, Mr. Speaker, to have these two particular letters from the Governor and from yourself added to the record.

The SPEAKER. They will be put in the record.

Mr. LAUGHLIN submitted the following letters for the Legislative Journal:

House of Representatives
Commonwealth of Pennsylvania
Harrisburg

December 5, 1984

Honorable K. Leroy Irvis
Speaker of the House
Room 139, Capitol
Harrisburg, PA

Dear Leroy:

Pennsylvania is faced with the prospect of having a short-fall of funding for energy grants in the 1984-85 winter season. I believe it is important that you act on this matter immediately rather than wait for the session to convene by appointing myself as Chairman of a bipartisan committee to examine the circumstance of the short-fall so that we may take immediate action to protect the poor, the elderly and the indigent of our state who can be faced with the prospect of not being able to meet their energy costs.

I would request that you give me your response at your earliest possible convenience. Thank you.

State Representative,
Charles P. Laughlin

CPL/ak
Enclosure

P.S. I would do this as Chairman of the Consumer Affairs Committee; however, since there has been no selection of chairmen, I would ask that through your office you would concur with my request.

Commonwealth of Pennsylvania
Office of the Governor
Harrisburg

December 20, 1984

Honorable Charles P. Laughlin
House of Representatives
512-E-3 Main Capitol Building
Harrisburg, Pennsylvania 17120

Dear Representative Laughlin:

Thank you for your letter of December 5, 1984 regarding the operation of Pennsylvania's Low Income Home Energy Assistance Program (LIHEAP).

I too am pleased with the efficiency of the LIHEAP program this heating season. Application processing by the Beaver County Assistance Office (CAO) and most of the CAOs has been exceptional. In fact, as of December 13, 1984 the Beaver CAO processed 8,171 LIHEAP and 1,197 crisis applications for a total of almost \$3 million. This is more than double the rate for the same period last year.

As you mention in your letter, there are a number of reasons for the rapid spending rate in this year's program. However, the predominant factor is the Department of Public Welfare's (DPW) insistence that the program provide benefits to Pennsylvanians before the coldest months. The CAOs responded to this direction in a commendable fashion.

Although I am pleased with the operation of this year's program, I am also concerned that we will run out of funds and not be able to serve as many households as we did last year. Originally, we had planned to pay benefits to the same number of households as last year. However, at the last minute Congress reduced our allocation by \$16 million. Our Washington Office is working with our Congressional delegation and other agencies in an attempt to secure additional Federal funds for the Commonwealth.

Even though we are facing a possible early closure of the regular LIHEAP program, we plan to continue to operate the crisis program through March of 1985. Funds will continue to be provided to households which have a heating emergency so that no one will go without heat during the winter.

I want to thank you for your interest in this year's program. Your continued cooperation will be appreciated.

Sincerely,
Dick Thornburgh
Governor

STATEMENT BY MR. RYBAK

The SPEAKER. The Chair recognizes, under unanimous consent, and the Chair hears no objection thereto, the gentleman from Northampton, Mr. Rybak.

Mr. RYBAK. Mr. Speaker, I rise with some difficulty, with a note of sadness, to announce that on Friday, February 1, 1985, a tragedy occurred in the life of one of our employees, Bernard Kirschner, the executive director of my committee, the House Insurance Committee. A plane en route from New Hampshire to Montreal, in the vicinity of Mount Martha, northwestern New Hampshire, crashed. There were five occupants, and two of the occupants were Pegge and her husband Grant, the daughter and son-in-law of Bernie Kirschner. They left behind a 5-year-old daughter, Ashley.

They had a dream not too many years ago. They started a fiber business that was on the brink of great success, and they were in pursuit of this business when fate dealt the blow that it did. I know that you join me in extending to Bernie and his family and his loved ones our sincere condolences on this tragedy.

Those of you who may be inclined to send flowers, the family requests that in lieu thereof, you make a donation to the American Cancer Society.

Mr. Speaker, I would like to insert into the record a more detailed statement of the lives of these two young people. Thank you very much.

The SPEAKER. If the gentleman will send the detailed statement forward, the clerk will record it.

The Chair extends its personal condolences to Mr. Kirschner, and those who wish to join the Chair in sending such a condolence will please rise and remain standing for a moment in silence.

(Members stood.)

The SPEAKER. The clerk will forward the condolences of the House to the employee of the House, Mr. Kirschner.

STATEMENT SUBMITTED FOR THE RECORD

Mr. RYBAK submitted the following statement for the Legislative Journal:

Several years ago a young woman and her new husband moved to a little town in New Hampshire. Here they settled down and decided to place their stakes and call it home. Pegge and Grant are their names, and they fell in love with their community in Franconia, New Hampshire. Here they found peace and quiet, contentment and challenge. They decided to start a small business selling imported English flannel sheets. Pegge's father decided to help his young idealistic daughter's dream with a \$1,500 loan to subsidize some of the cost for the merchandise. He hoped they would realize a small profit, if any, and then put away their young ideal dream and resume their duties as traditional couples and find a normal 9-5 job.

After they found a tidy little profit from their endeavor, they purchased a small home on top of a mountain, overlooking the lovely valley in New Hampshire. However, not content with their small profit, Pegge and Grant decided to continue their dream and develop a company selling more than just flannel bed sheets. Pegge and Grant founded a company that sold not just imported English flannel sheets but a company specializing in an array of natural fiber garments. The company, known as Garnet Hill, became very popular in that little village of Franconia, New Hampshire. Pegge and Grant were not confined to selling just in that beautiful White Mountain region of New Hampshire, but sold their natural fiber accessories across the U.S., including Hawaii and Alaska, and to Canadian residents as well.

That small home they owned became their living room, as they built a new, much larger and more spacious home around their original home that overlooks the valley in Franconia, New Hampshire.

Pegge's father was very proud of his daughter's accomplishments. Those of us who had ever talked to her father, Bernie Kirschner, executive director of the House Insurance Committee, always saw the pride and gleam in his eyes as he would describe the history behind his daughter's successful corporation and the role he played in the genesis of the company.

Pegge and Grant had reached their dream. They became successful entrepreneurs. This past weekend they flew to Canada on their private plane to prepare the photography and layout for the upcoming "natural fibers catalog."

This afternoon a memorial service is being held for Pegge and Grant in New Hampshire. Pegge and Grant are survived by their daughter, Ashley Kirschner Dowse.

The family is requesting that in lieu of flowers donations be made to the American Cancer Society.

REMARKS ON VOTE

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

Mrs. LANGTRY. Mr. Speaker, I rise to tell you that regarding HB 110, amendment No. 52, my switch did not work correctly. I wish it spread upon the record that I did vote on the issue and I voted "yes."

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

ANNOUNCEMENTS BY MINORITY LEADER

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, before some of the Republican members leave, with your permission, I would like to make two short announcements.

The SPEAKER. Certainly.

Mr. RYAN. The first is, there was a meeting scheduled tomorrow morning for the members from the southeastern part of the State, the Republican members of the caucus. That has been called off.

And I was going to take the freshmen out to dinner tonight—our freshmen; some of you are welcome if you would like to go. Because of the snow, I will still be over there, but do not feel you have to come over. And those of you who cannot make it, I will catch up to you some other time, but you are not allowed to send Burns or Gannon in your place. That is all. Thank you, Mr. Speaker.

COMMITTEE MEETING CANCELED

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

Mr. OLIVER. Thank you, Mr. Speaker.

For the benefit of the members of the State Government Committee, the meeting scheduled for Thursday morning has been canceled because of the weather. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

REMARKS ON VOTE

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

Mr. BOOK. Mr. Speaker, on HB 110 I would like to be recorded as a "yes" vote. I inadvertently pushed the wrong button. Thank you.

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

ANNOUNCEMENT BY MR. McCLATCHY

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

Mr. McCLATCHY. While we are announcing meetings, regardless of whether it is floor or committee business, we are

having a meeting with the freshmen tomorrow morning to explain the budget, if it is explainable. I am not sure. But that meeting is still on, Mr. Speaker.

The SPEAKER. All right, Mr. McClatchy.

ADJOURNMENT

The SPEAKER. There being no further business to be brought before this day's session, the Chair recognizes the gentleman from Philadelphia, Mr. Howlett.

Mr. HOWLETT. Mr. Speaker, I move that this House do now adjourn until Wednesday, February 6, 1985, at 11 a.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 3:06 p.m., e.s.t., the House adjourned.