

# COMMONWEALTH OF PENNSYLVANIA

## LEGISLATIVE JOURNAL

MONDAY, JUNE 13, 1988

SESSION OF 1988

172D OF THE GENERAL ASSEMBLY

No. 39

### HOUSE OF REPRESENTATIVES

The House convened at 1 p.m., e.d.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:

Lord God Almighty, Thou who art our strength and stay, we beseech Thee to grant to Thy people Thy spirit and Thy divine wisdom. We pray that Thy word may be proclaimed with all boldness throughout our lives and may have free course and grow among us to the betterment of Thy kingdom, in order that we, unhurt by all temptations, may serve Thee in steadfast faith and love. O God, we beseech Thee to continue Thy work in each one of us so that we may constantly strive to walk in the confession of Thy name and the proclamation of Thy truth to the very end of our lives with Thee. Amen.

##### PLEDGE OF ALLEGIANCE

(The Pledge of Allegiance was delivered by members and visitors.)

##### WELCOME

The SPEAKER. We welcome to the floor of the House Cherie Corl, who is a guest page, as a guest of Mr. Markosek, and Cherie's parents, Mr. and Mrs. James Corl, who are to the left of the Chair. Welcome to the hall of the House. We are delighted to have the three of you here. Where is Cherie? There she is. Welcome, Cherie. We are delighted to have you here. Do not worry; we will put you to work shortly.

##### JOURNAL APPROVAL POSTPONED

The SPEAKER. The Chair is informed that the Journal for Wednesday, June 8, 1988, is not yet in print. Therefore, we will delay the approval of that Journal until it is in print, unless someone objects. The Chair hears no such objection.

### LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the gentleman from Lawrence, Mr. Fee, on leaves of absence.

Mr. FEE. Mr. Speaker, there are no leaves for the Democratic side at this time.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the minority whip. Do you have any leaves of absence?

Mr. HAYES. Thank you, Mr. Speaker.

I request a leave for the gentleman from Delaware County, Mr. FREIND, for the day, and the gentleman from Lebanon County, Mr. JACKSON, for the day.

The SPEAKER. There being no objection, the leaves are granted.

### 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, June 13, 1988

RESOLVED, (the House of Representatives concurring), That when the Regular Session of the Senate adjourns this week it reconvene on Monday, June 20, 1988, unless sooner recalled by the President Pro Tempore of the Senate; and be it further

RESOLVED, That when the Regular Session of the House of Representatives adjourns this week it reconvene on Monday, June 20, 1988, unless sooner recalled by the Speaker of the House of Representatives.

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

On the question,

Will the House concur in the resolution of the Senate?

Resolution was concurred in.

Ordered, That the clerk inform the Senate accordingly.

##### WELCOME

The SPEAKER. Mr. Yandrisevits has a guest in the balcony, Mr. Dick Schwartz. Wave so we can see you. There he is. Welcome to the hall of the House, Mr. Schwartz. We are delighted to have you here.

**BILL REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND  
RECOMMITTED TO COMMITTEE ON RULES**

**HB 2506, PN 3376** By Rep. COLE  
An Act establishing the Legislative Eisenhower Centennial Commission; and providing for its funding.  
FEDERAL-STATE RELATIONS.

**COMMITTEE APPOINTMENT**

The SPEAKER. When Ben Wilson left us so suddenly, there was a term to be served as chairman of the Aviation Subcommittee of the Transportation Committee. Mr. Ryan has sent the name of Thomas Gannon. Mr. Gannon is thereby appointed to act as Aviation Subcommittee chairman on the Transportation Committee. The clerk will file the report.

**BILLS REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND  
RECOMMITTED TO COMMITTEE ON RULES**

**HB 1144, PN 3454 (Amended)** By Rep. OLIVER  
An Act authorizing and directing the Department of General Services, with the approval of the Governor, to convey to the Canon-McMillan School District 3.109 acres of land, more or less, situate in the Borough of Canonsburg, Washington County, Pennsylvania.

STATE GOVERNMENT.

**HB 1371, PN 3453 (Amended)** By Rep. OLIVER  
An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Public Welfare, to convey to Kirwan Heights Volunteer Fire Department a tract of land situate in Collier Township, Allegheny County, Pennsylvania.

STATE GOVERNMENT.

**HB 1685, PN 3449 (Amended)** By Rep. OLIVER  
An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Secretary of Environmental Resources, to sell and convey to Perry's Landing Ltd. No. 1, a tract of land in Presque Isle Bay in Erie County, Pennsylvania, located at the end of a pier between Raspberry and Cascade Streets and to Great Cascade Development Company, Inc., a tract of land in Presque Isle Bay in Erie County, Pennsylvania, located at the end of a pier between Plum and Poplar Streets.

STATE GOVERNMENT.

**HB 1872, PN 3450 (Amended)** By Rep. OLIVER  
An Act amending the act of June 11, 1968 (P. L. 149, No. 84), known as the "Volunteer Firemen's Relief Association Act," further providing for the expenditure of funds; and making an editorial change.

STATE GOVERNMENT.

**HB 2145, PN 3451 (Amended)** By Rep. OLIVER  
An Act amending the act of March 30, 1937 (P. L. 115, No. 40), known as "The First Class City Permanent Registration Act," further providing for the election of city commissioners.

STATE GOVERNMENT.

**HB 2201, PN 2884** By Rep. OLIVER  
An Act authorizing the incurring of indebtedness, with approval of the electors, of \$40,000,000 for grants to municipalities and regional transportation authorities to partially fund equipment and projects providing or improving accessibility for disabled persons.

STATE GOVERNMENT.

**HB 2212, PN 2922** By Rep. OLIVER  
An Act declaring and adopting the song "Pennsylvania," lyrics and music by Eddie Khoury and Ronnie Bonner, as the State song of the Commonwealth of Pennsylvania.

STATE GOVERNMENT.

**HB 2293, PN 3452 (Amended)** By Rep. OLIVER  
An Act authorizing and directing the Department of General Services, with the approval of the Governor and the Department of Agriculture, to convey and confirm two tracts of land located in Penn Township, Snyder County, Pennsylvania, to Randall W. Bailey and Ellen S. Bailey, his wife, and Rick L. Bailey and Kathy A. Bailey, his wife.

STATE GOVERNMENT.

**HB 2358, PN 3157** By Rep. OLIVER  
An Act amending the act of June 3, 1937 (P. L. 1333, No. 320), known as the "Pennsylvania Election Code," further providing for affidavits of certain candidates relating to party affiliation.

STATE GOVERNMENT.

**HB 2440, PN 3252** By Rep. OLIVER  
A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for six-year terms for Senators and four-year terms for members of the House of Representatives.

STATE GOVERNMENT.

**WELCOME**

The SPEAKER. Representative Lescovitz has the Delligatti family in the balcony - Gloria Tershel, Craig Tershel, William Delligatti, Katherine Delligatti - and Kara Tershel is working on the floor of the House. Where is Kara? Welcome, Kara. We are delighted to have you here. We are delighted to have the family. Welcome to the hall of the House.

### HOUSE BILLS INTRODUCED AND REFERRED

**No. 2543** By Representatives MAINE, HUTCHINSON, LETTERMAN, JAROLIN, STEIGHNER, BELARDI, WAMBACH and DALEY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for an amateur radio operator registration plate.

Referred to Committee on TRANSPORTATION, June 13, 1988.

**No. 2544** By Representative PITTS

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," excluding nonprofit educational institutions from sales and use tax.

Referred to Committee on FINANCE, June 13, 1988.

**No. 2545** By Representatives O'DONNELL, IRVIS, COWELL, PRESTON, BELFANTI, TRELLO, FEE, TIGUE, BATTISTO, COLAFELLA, PRESSMANN, PISTELLA, MELIO, PETRARCA, SAURMAN, KUKOVICH, LaGROTTA, RYBAK, HARPER, LINTON, JACKSON, MICHLOVIC, MAINE, McHALE, CARN, JOHNSON, BURD, E. Z. TAYLOR, HOWLETT, FOX, SIRIANNI, D. W. SNYDER, DeLUCA, VEON and LASHINGER

An Act amending the act of August 31, 1971 (P. L. 423, No. 101), known as the "Higher Education and Equal Opportunity Act," further providing for eligibility of part-time students.

Referred to Committee on EDUCATION, June 13, 1988.

**No. 2546** By Representatives CORRIGAN and LEVDANSKY

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), known as "The Second Class Township Code," authorizing the establishment of boards of health; providing for their powers and duties; and making repeals.

Referred to Committee on LOCAL GOVERNMENT, June 13, 1988.

### SENATE BILLS FOR CONCURRENCE

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

**SB 1029, PN 2065**

Referred to Committee on TRANSPORTATION, June 13, 1988.

**SB 1190, PN 2079**

Referred to Committee on LABOR RELATIONS, June 13, 1988.

### SENATE MESSAGE

#### AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, returned **HB 1786, PN 3409**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested.

### SENATE MESSAGE

#### AMENDED SENATE BILL RETURNED FOR CONCURRENCE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House by amending said amendments to **SB 321, PN 2159**.

Ordered, That the clerk present the same to the House requesting concurrence.

### FILMING PERMISSION

The SPEAKER. The Chair has given permission for John Sanks of WPVI to film on the floor of the House.

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

**SB 279, PN 2187** (Amended)

By Rep. PETRARCA

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), entitled "Tax Reform Code of 1971," providing for tax credits.

MINES AND ENERGY MANAGEMENT.

### MASTER ROLL CALL

The SPEAKER. The Chair is about to take the master roll call for the day. The members will proceed to vote.

The following roll call was recorded:

#### PRESENT—195

Acosta	Dombrowski	LaGrotta	Reber
Angstadt	Donatucci	Langtry	Reinard
Argall	Dorr	Lashinger	Richardson
Arty	Duffy	Leh	Rieger
Barley	Durham	Lescovitz	Ritter
Battisto	Evans	Letterman	Robbins
Belardi	Fargo	Levdansky	Roebuck
Belfanti	Farmer	Linton	Rudy
Billow	Fattah	Livengood	Ryan
Birmelin	Fee	Lloyd	Rybak
Black	Fischer	Lucyk	Saloom
Blaum	Flick	McCall	Saurman
Book	Foster	McClatchy	Scheetz
Bortner	Fox	McHale	Schuler
Bowley	Freeman	McVerry	Semmel
Bowser	Gallen	Maiale	Serafini
Boyes	Gamble	Maine	Seventy
Brandt	Gannon	Manderino	Showers
Broujos	Geist	Manmiller	Sirianni
Bunt	George	Markosek	Smith, B.
Burd	Gladeck	Mayernik	Smith, S. H.
Burns	Godshall	Melio	Snyder, D. W.
Bush	Gruitza	Merry	Snyder, G.

Caltagirone	Gruppo	Michlovic	Staback
Cappabianca	Hagarty	Micozzie	Stairs
Carlson	Haluska	Miller	Steighner
Carn	Harper	Moehlmann	Stuban
Cawley	Hasay	Morris	Sweet
Cessar	Hayden	Mowery	Taylor, E. Z.
Chadwick	Hayes	Mrkonic	Taylor, F.
Civera	Heckler	Murphy	Taylor, J.
Clark	Herman	Nahill	Tigue
Clymer	Hershey	Noye	Trello
Cohen	Hess	O'Brien	Van Horne
Colafella	Honaman	O'Donnell	Veon
Cole	Howlett	Olasz	Vroon
Cornell	Hughes	Oliver	Wambach
Corrigan	Hutchinson	Perzel	Wass
Cowell	Itkin	Petrarca	Weston
Coy	Jadlowiec	Petrone	Wiggins
DeLuca	Jarolin	Phillips	Wogan
DeVerter	Johnson	Piccola	Wozniak
DeWeese	Josephs	Pievsky	Wright, D. R.
Daley	Kasunic	Pistella	Wright, J. L.
Davies	Kennedy	Pitts	Wright, R. C.
Dawida	Kenney	Pressmann	Yandrisevits
Dempsey	Kitchen	Preston	
Dietterick	Kosinski	Punt	Irvis,
Dininni	Kukovich	Raymond	Speaker
Distler			

ADDITIONS—0

NOT VOTING—0

EXCUSED—2

Freind Jackson

**CALENDAR**

**BILLS ON SECOND CONSIDERATION**

The House proceeded to second consideration of **SB 1385, PN 2080**, entitled:

An Act providing for the establishment of a Family Preservation Program by the Department of Public Welfare; providing for grants to counties for programs enabling children who would otherwise be subject to out-of-home placement to remain at home; and making an appropriation.

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

**BILL RECOMMENDED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. MANDERINO. Mr. Speaker, I move that SB 1385 be recommitted to the Committee on Appropriations for a fiscal note.

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

\* \* \*

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

**HB 1225, PN 3410; SB 235, PN 2156; SB 797, PN 2157; and SB 973, PN 2158.**

\* \* \*

The House proceeded to second consideration of **HB 1435, PN 3357**, entitled:

An Act creating the Pennsylvania Economic Adjustment Board; providing for the development and implementation of a planning process designed to reduce the impact of unstable or declining industry; providing for the establishment of local economic adjustment committees to be monitored by the board; and making an appropriation.

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

**BILL RECOMMENDED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. MANDERINO. Mr. Speaker, I move that HB 1435 be recommitted for a fiscal note to the Committee on Appropriations.

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

**BILL ON FINAL PASSAGE POSTPONED**

The House proceeded to consideration on final passage postponed of **HB 323, PN 2721**, entitled:

An Act amending the act of May 2, 1945 (P. L. 382, No. 164), known as the "Municipality Authorities Act of 1945," providing for the membership and bylaws of a joint sanitary authority created by cities of the second class and counties of the second class, for billing procedures and audits of the joint sanitary authority and for service standards, performance evaluation measures and billing procedures of the joint sanitary authority.

On the question recurring,  
Shall the bill pass finally?

**BILL TABLED**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. MANDERINO. Mr. Speaker, I move that HB 323 be placed on the tabled calendar.

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

**BILL REMOVED FROM TABLE**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. MANDERINO. Mr. Speaker, I move that HB 323 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.

**BILL ON CONCURRENCE  
IN SENATE AMENDMENTS**

**HB 854 PASSED OVER TEMPORARILY**

The SPEAKER. HB 854 will go over, without objection.  
Mr. PICCOLA. Mr. Speaker?

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Piccola. What is it?

Mr. PICCOLA. I object to going over HB 854.

The SPEAKER. All right. Mr. Piccola objects to passing over HB 854. We will go over it temporarily, Mr. Piccola. Go over and talk to the majority leader about it, will you? Over temporarily for HB 854.

**BILLS REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND  
RECOMMITTED TO COMMITTEE ON RULES**

**HB 1033, PN 1135** By Rep. TRELLO

An Act authorizing the filing of notices of Federal tax liens, certificates and other notices affecting Federal liens; making uniform the law relating thereto; and making a repeal.

FINANCE.

**HB 1650, PN 2060** By Rep. TRELLO

An Act providing for a voluntary contribution system to finance a program to assist needy and homeless persons.

FINANCE.

**HB 2118, PN 2753** By Rep. TRELLO

An Act amending the act of March 4, 1971 (P. L. 6, No. 2), known as the "Tax Reform Code of 1971," adding an exclusion from sales and use tax.

FINANCE.

**HB 2296, PN 3455 (Amended)** By Rep. TRELLO

An Act amending the act of June 21, 1939 (P. L. 626, No. 294), referred to as the "Second Class County Assessment Law," further providing for the adjustment in assessments for persons who have suffered catastrophic losses to their property.

FINANCE.

**HB 2444, PN 3456 (Amended)** By Rep. TRELLO

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the "Tax Reform Code of 1971," further providing for economic revitalization tax credits.

FINANCE.

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

**SB 114, PN 2186 (Amended)** By Rep. TRELLO

An Act amending the act of May 5, 1933 (P. L. 284, No. 104), entitled, as reenacted and amended, "Malt Beverage Tax Law," extending the emergency malt or brewed beverage tax credits; and increasing the maximum credit.

FINANCE.

**HOUSE BILL  
INTRODUCED AND REFERRED**

**No. 2547** By Representative OLIVER

An Act amending the act of May 20, 1937 (P. L. 728, No. 193), referred to as the Board of Claims Act, reestablishing the Board of Claims to establish hearing panels and fixing the compensation of panel members.

Referred to Committee on STATE GOVERNMENT,  
June 13, 1988.

**ANNOUNCEMENT BY MAJORITY LEADER**

The SPEAKER. The Chair recognizes the majority leader.  
Mr. MANDERINO. Thank you, Mr. Speaker.

For those members that are asking what the schedule for the day is, we are going to go to caucus and we will be back on the floor. We will handle SB 613, which we have indicated we would handle today. We will also begin the budget process.

The budget process has produced, by the deadline set by the temporary rule of the House, some 230 amendments to the budget. We will begin the offering of those amendments after caucus. I would urge all members who have amendments that they intend to offer—because the 230 is the ones that were produced by the Legislative Reference Bureau—if they are going to be offered, we have received in the majority Appropriations Committee, Mr. Pievsky's office, a good number of those amendments, but many of them we have not received. We would ask that you get those amendments to Mr. Pievsky's office so that not only can they be caucused upon and distributed to both caucuses when that will become necessary but we can try to coordinate and to apply the amendments here on the floor in some fashion or in some order.

Mr. Speaker, Mr. Piccola has indicated, also, that he intends to insist upon his objection to the passing over of HB 854, and that will also be taken up after caucus, not HB 854 but Mr. Piccola's objection to the passing over, and that also will be discussed, at least in the Democratic caucus.

So I would urge all members to attend the caucus, and we will be back on the floor as per the instructions of the caucus chairmen.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, we indeed are coming into the annual tough season of the year. We are missing a number of amendments that we are unable to caucus on. By way of quick example, we understand Mr. Linton is going to offer far-reaching amendments that affect the makeup of SEPTA (Southeastern Pennsylvania Transportation Authority) in the southeast. We have yet to see them. We understand that there are a number of amendments to be offered to the budget by members of the Democratic Caucus. We have about eight, I am told. I expect that there are many more outstanding, and we, too, would appreciate copies of those amendments.

So I guess, in brief, both sides are going to have to be very cooperative or we are going to have a very difficult day today and difficult weeks between now and summer recess.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I would suggest to the minority leader that we have the Appropriations staffs coordinate as soon as we break to try to get the amendments to each other that we have in hand. Now, we do not expect that we will be able to complete the budget amendment process today, but I would like to get a good leg up on that and to begin that, Mr. Speaker.

I would think that we could break, Mr. Speaker, and return to the floor at 3 o'clock to see where we are at that time, but I would be prepared, Mr. Speaker, to begin again here on the floor at 3 o'clock.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Would the gentleman, Mr. Linton, advise us as to when we might expect to get a look at his amendments?

The SPEAKER. The Chair was about to speak to Mr. Linton about that exact point. The amendment clerk does not yet have his amendments. We do not know whether to go ahead and print the bill as it is or whether the amendments may require a reprinting. Is Mr. Linton not yet on the floor?

If Mr. Linton is in his office, please report immediately, immediately, to the floor. We must discuss with you what your amendments involve. You are now delaying the hall of the House. We cannot move until we have talked to you about your amendments. Mr. Linton, if you are in your office, please report promptly to the floor.

Mr. RYAN. I am guessing that these are the SEPTA amendments, based on a memorandum that Mr. Linton circulated earlier in the week advising that he was going to introduce such legislation. I conceivably could be wrong. It is highly unlikely.

The SPEAKER. It very seldom happens, Matt.

Dwight Evans, do you know that the Linton amendments concern SEPTA? Is that true? You do not know the details of them.

Mr. Hutchinson, do you know what the amendments entail? Mr. Hutchinson, do they entail SEPTA?

All right. Then, Mr. Ryan, you are correct. As soon as we get the amendments, Mr. Ryan and Mr. Manderino, because we do not have them here, we will see to it that the amendments are circulated to each caucus. We do not have them yet. We have been informed that Mr. Linton is on his way to the floor.

The House will stand at ease temporarily.

#### APPROPRIATIONS COMMITTEE MEETING

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

Mr. PIEVSKY. While we are waiting, could the Appropriations Committee call a meeting briefly in the rear of the chamber?

The SPEAKER. Certainly.

A meeting of the Appropriations Committee briefly in the rear of the hall of the House.

#### STATE GOVERNMENT COMMITTEE MEETING

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

Mr. OLIVER. I would like to call a committee meeting immediately in the rear of the hall of the House. Thank you, Mr. Speaker.

#### COMMITTEE MEETING POSTPONED

The SPEAKER. The Chair recognizes the gentleman from Greene, Mr. DeWeese.

Mr. DeWEESE. The House Judiciary Committee will temporarily postpone its intention to meet at the first call of the break, and we will announce as soon as possible the rescheduling of the House Judiciary Committee meeting, either today or tomorrow. Thank you.

The SPEAKER. The Chair thanks the gentleman.

#### DEMOCRATIC CAUCUS

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

Mr. ITKIN. Mr. Speaker, I would like to advise the members on this side of the aisle that we will be going into caucus now for approximately an hour and a half and with a scheduled return to the floor at 3 p.m.

The SPEAKER. Immediate caucus of the Democratic Party; return to the floor at 3 p.m.

#### REPUBLICAN CAUCUS

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

Mr. NOYE. Thank you, Mr. Speaker.

That sounds good to me. We will do the same thing.

The SPEAKER. Immediate caucus of the Republican Party; return to the floor at 3 p.m.

#### WELCOME

The SPEAKER. We welcome Jim Distler's guests, Mr. and Mrs. Huff and family. They are from Weedville, Elk County. They are in the balcony. Welcome to the hall of the House. We are delighted to have you here.

#### BILLS REREPORTED FROM COMMITTEE

**HB 1224, PN 1396**

By Rep. PIEVSKY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the impoundment of a vehicle for the owner's failure to pay the fine and costs on a conviction of driving while operating privilege is suspended or revoked.

## APPROPRIATIONS.

**HB 1344, PN 1555** By Rep. PIEVSKY

An Act amending the act of July 29, 1953 (P. L. 1034, No. 270), known as the "Public Auditorium Authorities Law," increasing the amount of contracts that may be awarded without competitive bids; and further providing for the purchase of supplies and materials.

## APPROPRIATIONS.

**HB 1345, PN 1556** By Rep. PIEVSKY

An Act amending the act of June 5, 1947 (P. L. 458, No. 208), known as the "Parking Authority Law," increasing the maximum amount for which an authority may contract or purchase without bids.

## APPROPRIATIONS.

**HB 1348, PN 3314** By Rep. PIEVSKY

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

## APPROPRIATIONS.

**HB 2183, PN 2868** By Rep. PIEVSKY

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

## APPROPRIATIONS.

**HB 2184, PN 3104** By Rep. PIEVSKY

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

## APPROPRIATIONS.

**HB 2185, PN 2870** By Rep. PIEVSKY

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

## APPROPRIATIONS.

**HB 2186, PN 2871** By Rep. PIEVSKY

An Act amending the act of May 1, 1933 (P. L. 103, No. 69), known as "The Second Class Township Code," further regulating contracts, advertisements, specifications, and bids for certain contracts.

## APPROPRIATIONS.

**HB 2188, PN 2873** By Rep. PIEVSKY

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

## APPROPRIATIONS.

**HB 2189, PN 2874** By Rep. PIEVSKY

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

## APPROPRIATIONS.

**HB 2190, PN 2875** By Rep. PIEVSKY

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

## APPROPRIATIONS.

**HB 2191, PN 2876** By Rep. PIEVSKY

An Act amending the act of July 12, 1972 (P. L. 762, No. 180), referred to as the "Intergovernmental Cooperation Law," regulating joint purchases and bids on such purchases.

## APPROPRIATIONS.

**HB 2192, PN 2877** By Rep. PIEVSKY

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

## APPROPRIATIONS.

**HB 2193, PN 2878** By Rep. PIEVSKY

An Act amending the act of May 2, 1945 (P. L. 382, No. 164), known as the "Municipality Authorities Act of 1945," further providing for contract procedures, purchases and advertising for bids.

## APPROPRIATIONS.

**HB 2279, PN 3236** By Rep. PIEVSKY

An Act regulating the inspection and approval of antique boilers; providing for certain powers and duties of the Department of Labor and Industry; providing a penalty; and making a repeal.

## APPROPRIATIONS.

**HB 2411, PN 3457 (Amended)**

By Rep. PIEVSKY

An Act making appropriations from the Professional Licensure Augmentation Account and from restricted revenue accounts within the General Fund to the Department of State for use by the Bureau of Professional and Occupational Affairs in support of the professional licensure boards assigned thereto.

## APPROPRIATIONS.

**SB 794, PN 1765** By Rep. PIEVSKY

An Act amending the act of August 7, 1963 (P. L. 549, No. 290), entitled, as amended, "Pennsylvania Higher Education Assistance Agency Act," further providing for administrative loan collection process and for aggregate indebtedness.

## APPROPRIATIONS.

**BILL REPORTED FROM COMMITTEE,  
CONSIDERED FIRST TIME, AND  
RECOMMITTED TO COMMITTEE ON RULES**

**HB 2547, PN 3458**

By Rep. OLIVER

An Act amending the act of May 20, 1937 (P. L. 728, No. 193), referred to as the Board of Claims Act, reestablishing the Board of Claims to establish hearing panels and fixing the compensation of panel members.

STATE GOVERNMENT.

**RECESS**

The SPEAKER. This House will stand in recess until 3 p.m.

**AFTER RECESS**

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

**CALENDAR CONTINUED**

**BILLS ON THIRD CONSIDERATION**

The House proceeded to third consideration of **HB 1340, PN 1551**, entitled:

An Act amending the act of January 22, 1968 (P. L. 42, No. 8), known as the "Pennsylvania Urban Mass Transportation Law," further providing for the granting of concessions by an authority.

On the question,

Will the House agree to the bill on third consideration?

Mr. LINTON offered the following amendments No. A2591:

Amend Title, page 2, line 1, by inserting after "providing" for the election of a chairman and appointment of board members and

Amend Bill, page 2, lines 5 through 8, by striking out all of said lines and inserting

Section 1. Sections 317(a) and 319(b) of the act of January 22, 1968 (P.L.42, No.8), known as the Pennsylvania Urban Mass Transportation Law, added July 10, 1980 (P.L.427, No.101), are amended to read:

Section 317. Appointment of Board Members.—(a) At any time after the effective date of this article:

(1) The Governor [may] shall appoint as a member of the board, [one person] two persons, who may be an ex-officio appointee from among the various officials in the government of the Commonwealth, and whose term as a board member shall run concurrently with that of his Commonwealth position, if any, or the term of the appointing Governor, whichever is shorter.

(2) The county commissioners or the county council in each county, and, in any county of the first class containing a city of the first class, the mayor, with the approval of the city council, may appoint two persons for each county to serve as board members.

(3) The Chairman of the Citizen's Advisory Committee shall serve as a member of the board of directors.

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Section 319. Meetings, Quorum, Approval of Resolutions; Election of Chairman.—\*\*\*

(b) The board shall elect from among its members a chairman and a vice chairman, who shall serve for a term of one year

and until their successors shall have been elected and qualified, and shall perform such duties as the board shall, by resolution, determine. The chairmanship shall be evenly distributed among counties such that a board member from the same county shall not be elected chairman until a member from each of the other counties has served as chairman. A chairman may succeed himself or herself one time only. A county that is eligible to have one of its members elected chairman may cancel its eligibility for that term only by submitting to the board a resolution signed by both members not less than sixty days prior to the election of a new chairman.

\*\*\*

Section 2. Section 332(f) of the act, amended December 22, 1981 (P.L.547, No.160), is amended to read:

Amend Sec. 2, page 2, line 27, by striking out "2" and inserting

3

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Philadelphia, Mr. Linton.

Mr. LINTON. Thank you, Mr. Speaker.

Mr. Speaker, what I am proposing today is a very simple amendment. one which hopes to restore the integrity and bring good government to the SEPTA Board.

Mr. Speaker, what I am proposing today is an opportunity to bring some integrity and good government to the functioning of the SEPTA Board. Many of the members of this House may know that SEPTA has been one of the transit authorities in this Commonwealth that has constantly come under attack; it is currently under several investigations, and what I am attempting to do is try to provide a good management structure to the governance board of that authority.

What I am proposing to the members of this House who often are asked by their constituency what are they doing to change things at SEPTA when they are always asked to put up a vote to vote for additional dollars for SEPTA, well, today I am allowing you an opportunity to do some reform, to bring some integrity and hopefully some better management to that authority.

What my amendment proposes is, number one, to increase the number of board members of the SEPTA Board from the present board complement of 11 to 13. What I am proposing is to add one additional member to be appointed by the Governor. Currently the SEPTA Board is composed of 11 members. The State, in the form of the Governor's appointee, only has one member of that board, where in fact the State provides 67 percent of the operating subsidy for SEPTA, yet the State only has one member on that 11-member board. So what I am proposing is that we add an additional member to be appointed by the Governor, bringing the Governor's appointees from one to two.

In addition, several years ago, in the wisdom of the House, we developed a Citizen's Advisory Council. The Citizen's Advisory Council basically advises SEPTA from the viewpoint of the ridership, from the viewpoint of the general public. What I am proposing is similar to what we have done in many other boards and commissions in this House, is



adding a public member, and the way that we add that public member is allowing the chairman of the Citizen's Advisory Council to be a voting member of the board.

The third thing that I am proposing to do in this amendment is one of fairness. SEPTA is a regional authority, regional in that it represents five counties in southeastern Pennsylvania. What I am proposing is that we now see to it that the authority is regional by insisting that the chairman of that board rotate among the five counties so each one of the counties will have an opportunity to have a chairmanship. The chairmanship will rotate among the five counties, so everyone in the five-county region of the southeast region gets an opportunity to have the chairmanship of that board at one point in time under their direction.

That is what we are proposing - basically a good government reform measure that will try to insure that we have a smooth-running, more efficient transit authority in the southeastern part of Pennsylvania.

The SPEAKER. On the amendment, the Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I stand in opposition to the amendment a little concerned, a little upset, a little bit irritated, a little bit mad at the choice of words of the gentleman, Mr. Linton, when he says he is hoping that by doing this it will restore integrity and good government to the SEPTA Board. What Mr. Linton is trying to do, if you bother to read the amendments, is not restore good government, integrity to the SEPTA Board but rather to get patronage for the city of Philadelphia. The city of Philadelphia has been unable to have a chairman elected of the SEPTA Board so we go around the corner and we do it legislatively by requiring that the city of Philadelphia, that has apparently been unable to put together a candidate acceptable to a majority of the members of the board, we are going to get him elected legislatively now.

Now, if we want to talk about good management, I suggest, Mr. Speaker, that looking to Philadelphia would be the last place in the world I would go in light of recent events, and you are the one who has brought up recent events as your cause for doing something in addressing the SEPTA Board problems. Pick up any of the papers almost throughout this State but in particular pick up the Philadelphia papers and get a look at good management, and this is what you would thrust upon the people of the southeast under the guise of good government and restoration of integrity to the SEPTA Board. It just ain't so.

Now, going back a little bit into the history of SEPTA, we in the southeast, the suburban communities, the city of Philadelphia, and the Commonwealth of Pennsylvania negotiated, we negotiated the makeup of the SEPTA Board; we negotiated this—I was not part of it—but we negotiated this when the Red Arrow division, by way of example, was acquired and taken over from the county of Delaware, when the city transit division—and I could be wrong on this—was brought into the SEPTA division, when the State of Pennsylvania, the Commonwealth of Pennsylvania, assumed a larger financial role in the financing of this and the other major transportation

systems, when the city of Philadelphia required, as part of what they negotiated, that they have the right to veto any action of that board. They are the only county—the city of Philadelphia—the only county that has the right of veto, and they negotiated that among the many people who negotiated the original SEPTA system or SEPTA makeup. For us today to attempt to change it on the whim of the gentleman, Mr. Linton, without any study by any committee, without any recommendation of any expert, but rather to obtain, secure, additional patronage for the city of Philadelphia would be wrong; it would be wrong for this Commonwealth and wrong for the cooperating communities of the southeast that made up that board.

I would ask for a negative vote, Mr. Speaker. Thank you.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Montgomery, Mr. Fox.

Mr. FOX. Thank you, Mr. Speaker.

On this House amendment, Mr. Speaker, I feel that this expanded role for the executive branch is not appropriate. What is appropriate is that the five counties that are in the Southeastern Pennsylvania Transportation Authority be the ones that be vested as they have been with the authority. As Mr. Ryan has so eloquently outlined, there are special powers there for Philadelphia County.

If this legislation in amendment form is passed, it would not be to the best interest of the residents of southeast Pennsylvania, because if the best candidate for chairman happens to be one particular person in one county, then why should we hamstring that board by saying that it must be rotated? There is nothing magical about rotation. What is magical about the system that works is leaving the choice up to each of the members of the board of SEPTA as to who should be its chairman. Any problems that have happened in the past were not due to rotation but maybe to any one personality or other extraneous factors.

To change the power structure of SEPTA is not an appropriate use of our legislative power. What is appropriate is to make sure that we properly fund SEPTA and to make sure that it is an ongoing system with a permanent funding base. But to change its political structure because some people feel that others of a regional nature should have special powers is nothing more than a power grab and not proper for this legislature. Thank you, Mr. Speaker.

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

Mr. FATTAH. Mr. Speaker, I rise to support the Linton amendment.

I have heard two comments from the other side: one from Representative Ryan, who said, well, you know there is no need for good government at SEPTA, and he was irritated by Representative Linton's comments. Well, obviously, Representative Fox at least admits that there have been problems there and there is a substantial amount of problems; that is why there have been a number of investigations even at this point. In our own Transportation Committee there is an investigation going on; the Federal Government has been

investigating SEPTA; there has been a substantial amount of problems; there does need to be, I think, a new look on how this situation is structured.

He suggests that we should not vote for this because Philadelphia wants more patronage. Well, I think Philadelphia gives a lot of patronage to SEPTA. Over 85 percent of the ridership of the SEPTA system are Philadelphia riders, and we should not have a political system that governs that board that automatically exempts Philadelphia from ever being in a position to chair the board.

Yes, the State puts in money, and I think that Representative Linton will be addressing that in terms of expanding the role of the executive branch, but also the city of Philadelphia contributes substantially to the operations of SEPTA, and even though we have the right to veto, we should also have a chance to lead. I think that this amendment gives each county, not just Philadelphia but each county in this five-county association, an opportunity at some point to be in a position to have the chairperson of the SEPTA authority on a rotating basis come from that county.

I do not understand how anyone could oppose that. I do not think that there is any suggestion here that any particular county has a monopoly on leadership. Philadelphia is not asking to be in permanent control of the SEPTA system. We are saying that it should rotate. I think that is reasonable.

I think that those people who have constantly moaned and groaned about these kinds of problems should at this point put up a vote one way or the other on this issue. Thank you very much.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Montgomery, Mr. Reber.

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, would the maker of the amendment stand for interrogation, please?

The SPEAKER. Mr. Linton indicates he will stand for interrogation. You may proceed, Mr. Reber.

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, you may have touched upon this particular first question in your initial explanation, but if you did, I had a hard time hearing you, and I would ask if you could clarify it.

Specifically my concern is with the Citizen's Advisory Committee. Could you please explain to the members and, most importantly, to myself just what is the Citizen's Advisory Committee?

Mr. LINTON. The Citizen's Advisory Committee, in essence, represents the general ridership or the general public in terms of their representation on SEPTA. I believe in 1979, in the wisdom of this House, in an effort after a number of investigations and because it was felt that the general ridership should have an opportunity to participate in making suggestions on how the system is run, this House decided to provide through statute a Citizen's Advisory Committee. That Citizen's Advisory Committee consists of members from all five counties. They in turn elect a chair.

The Citizen's Advisory Committee, in my viewpoint, represents the general ridership and would in fact be the public representation on that board. What we are suggesting through this amendment is that the chairperson of the Citizen's Advisory Committee be a voting member of the board and, in essence, a public member to represent the general ridership.

Mr. REBER. Mr. Speaker, is the current chairman a resident of Philadelphia County?

Mr. LINTON. No, he is not. The current chairperson is a resident of Chester County.

Mr. REBER. And how many chairmen have there been of the Citizen's Advisory Committee since its inception?

Mr. LINTON. I could not answer that question, Mr. Speaker, but it does rotate fairly frequently.

Mr. REBER. That is ultimately the question I am concerned about. Does the chairmanship of the advisory committee have built into its bylaws or operating procedures this rotation concept that you are embodying in this amendment for the general SEPTA Board of Directors?

Mr. LINTON. There is no rotation statute or requirement. A chairperson is elected by all of the members of the Citizen's Advisory Commission, but quite frequently they have come from all of the counties, and I do not think there has been any monopoly on Philadelphia, Chester, or Montgomery.

Mr. REBER. But there is no limitation, there is no limitation of that chairman from serving only a particular term is there?

Mr. LINTON. Yes. There are three 2-year terms, I believe.

Mr. REBER. Three 2-year terms?

Mr. LINTON. That is correct.

Mr. REBER. Okay. Thank you, Mr. Speaker.

That is all the questions I have.

The SPEAKER. On the amendment, the Chair recognizes the lady from Montgomery, Mrs. Hagarty.

Mrs. HAGARTY. Thank you, Mr. Speaker.

I would also like to interrogate the sponsor of the amendment.

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

Mrs. HAGARTY. Mr. Speaker, I understand that you are the chairman of the select committee investigating SEPTA at the current time?

Mr. LINTON. I am chairman of the subcommittee. The investigation is a full House Transportation investigation.

Mrs. HAGARTY. You are a member of the Transportation Committee?

Mr. LINTON. That is correct.

Mrs. HAGARTY. And you are aware of the proceedings of the committee of the— Well, let me ask you, how did the Transportation Committee come to investigate SEPTA? Was it a resolution that was passed?

Mr. LINTON. Through a House resolution that was passed unanimously by the members of this House.

Mrs. HAGARTY. And has that committee made recommendations with regard to changes in the SEPTA structure?

Mr. LINTON. That committee is still conducting its investigation and it has not completed or issued its report as of yet.

Mrs. HAGARTY. There have been hearings held, I understand?

Mr. LINTON. Yes, there have been hearings held by that committee.

Mrs. HAGARTY. There is no report that has been issued?

Mr. LINTON. Not as of yet.

Mrs. HAGARTY. Therefore, I can then assume that this recommendation does not come from the investigation that the House authorized.

The SPEAKER. Mrs. Hagarty, just a moment.

### POINT OF ORDER

The SPEAKER. The Chair recognizes the gentleman from Philadelphia, Mr. Fattah. Why do you interrupt?

Mr. FATTAH. Point of order.

Should you not ask questions on interrogation that you do not know the answers to already?

Mrs. HAGARTY. I did not know the answers.

The SPEAKER. Yes, one should. The Chair is convinced that Mrs. Hagarty was asking these questions quite seriously. She has been known to obey the rules, and the Chair presumes she is going to continue to do so.

You may proceed.

Mrs. HAGARTY. Thank you, Mr. Speaker.

Mr. Speaker, then my assumption is that this has not come as a result of the investigation.

Mr. LINTON. This is in fact an amendment that I offer to a bill that is before this House today.

Mrs. HAGARTY. There are apparently a number of other investigations that have been referred to also of SEPTA, and are you aware of any of the results of those investigations, Mr. Speaker?

Mr. LINTON. To my knowledge, those investigations are still going on and they have yet to issue any reports.

Mrs. HAGARTY. Okay.

I would like to make a comment.

The SPEAKER. The lady has the floor and may proceed.

Mrs. HAGARTY. Thank you.

Mr. Speaker, it is my concern that this House has authorized by resolution that an investigation be conducted. Quite properly, hearings are being held and an investigation is being conducted. As we have heard, there are, or at least as I know, there are countless other investigations of SEPTA being conducted. None of those investigations, to my knowledge, have recommended that any of the problems of SEPTA will be solved by rotating chairmanship or by adding Governor's appointees.

I am concerned that we are going ahead to vote on legislation here without a report having been handed in as we would expect and without any basis for this particular piece of legislation before us. I do not think, as members who have spoken before us, that there is any basis for those of us who are concerned about our regional transit authority to believe that this

is going to effect one way or another a better transit authority. In fact, my concern is that it will take away from the regional nature of the transit authority; my concern is that the suburban counties at the present time, as we have continued to be threatened over the years by loss of transit routes in our counties, that there may be a lessening of public commitment and elected representative commitment to SEPTA, a feeling that I do not share.

I believe that the SEPTA system is very important to the counties as well as the city. I think it is crucial that the counties continue to be strongly represented and to have a strong say on that board and that the original negotiated agreement continue to exist until another consensus is reached. I fear that by doing this we will simply hand the entire system over to Philadelphia, which will result in less support for the region, less lines for the region, less involvement between the suburbs and the city, and an entire breakdown.

I strongly urge a negative vote. Thank you.

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

Mr. CIVERA. Thank you, Mr. Speaker.

Mr. Speaker, I would just like to make a statement on this amendment.

I served on the special committee that Representative Linton has spoken about, as he is the chairman. Representative Linton on that special task force did a fine job in holding public hearings throughout the State and especially in the five-county area. But to reiterate, what Representative Hagarty has just stated is true. For us to pass this amendment today is really putting the cart before the horse. The committee has not made any recommendations concerning SEPTA. The committee has not made any ideas how we can improve the ridership in SEPTA, and for us to turn around and pass this amendment today is wrong. The General Assembly, when it addresses the issue of SEPTA, if they pass this amendment, is overreacting on the issue of mass transit in the five-county area.

Now, Representative Linton, I am sure, has well heard that this amendment is something that aids Philadelphia and helps Philadelphia as far as the board is concerned. But what does it do to the five-county area? Is it fair to the rest - Bucks, Montgomery, Delaware, and Chester - to pass this amendment? It is not fair. And I think the way to handle this thing is, a recommendation from that subcommittee should go to the Transportation Committee, discuss it in the committee, let us get the five counties together to see if we can agree to it, not to bring this amendment today on the floor and push it down our throat for a Democratic vote versus a Republican vote.

Now, we all know what the numbers are in this House. The amendment most likely will pass. But are we doing the right thing for the five-county area? We are not. Mr. Speaker, I would ask you not to support the amendment. I would wish that Chairman Linton would not have brought the amendment on the floor today and we would have stuck with the committee process just like this House did when the resolution passed to form the committee to investigate SEPTA. Thank you, Mr. Speaker.

MOTION TO TABLE

The SPEAKER. For the second time, the Chair recognizes the gentleman from Montgomery, Mr. Reber.

Mr. REBER. Thank you, Mr. Speaker.

Mr. Speaker, I think the lady from Montgomery County, Mrs. Hagarty, enunciated on the record following interrogation a very, very specific reason why this body should not be precipitous in movement on such a sweeping concept as is embodied in the Linton amendment.

Mr. Speaker, for that reason, I think that we ought to really wait to see in fact if we are going to have something forthcoming in the way of various forms of recommendations on the regional transit issue as it relates to southeast Pennsylvania. And while there may be some meaningful intent behind the amendment, I do not think the time is right for us to act on that or for the bill itself as a piece of traveling legislation for purposes of this amendment.

Accordingly, Mr. Speaker, I would move to table the amendment and the bill until a time certain when a report has been forthcoming.

The SPEAKER. Moved by the gentleman, Mr. Reber, that HB 1340 together with the offered amendment by Mr. Linton be placed upon the table. The motion is not debatable.

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

The following roll call was recorded:

YEAS—97

Table listing names of members who voted 'YEAS' in a 4-column format.

NAYS—97

Table listing names of members who voted 'NAYS' in a 4-column format.

Table listing names of members who were 'NOT VOTING' in a 4-column format.

NOT VOTING—1

Seventy

EXCUSED—2

Freind Jackson

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

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

The SPEAKER. For the first time in debate, the Chair recognizes the gentleman from Montgomery, Mr. Saurman.

Mr. SAURMAN. Thank you, Mr. Speaker.

Mr. Speaker, I am concerned about the wisdom of putting a member of the Citizen's Advisory Committee on the board. The purpose for creating an advisory committee is certainly a sound one and we should have input from the commuters, but the business of running a railroad is a far more serious thing. Those who are selected for that position ought not, in my opinion, become that individual because of having served on an advisory committee. I think that is dangerous, and I think that for that reason we ought to oppose this amendment.

I also would caution about the possibility in this rotation system of how it would work, whether in fact it would run from one county to the next in an automatic fashion so it would go from Chester to Bucks or if it would start alphabetically and go from Bucks to Chester in that fashion, which would mean that the individual serving on the board from that particular county would become the eligible person for chairmanship and may in fact not be the best person to be chairman of that board.

The operation of SEPTA is a serious, serious matter. The choice of who should run it is also serious. The decision should be left with the members of that board and not set up in some fashion arbitrarily here in Harrisburg.

I would urge that we defeat this amendment. Thank you, Mr. Speaker.

The SPEAKER. For the second time on his amendment, the Chair recognizes the gentleman from Philadelphia, Mr. Linton.

Mr. LINTON. Mr. Speaker, this House has heard several comments from primarily the other side of the aisle regarding this proposal. They have heard that there is no effort here to provide integrity and good government to SEPTA; they have heard that this is a power grab. I wonder how one can be pro-

viding a power grab if you are saying that each county of the five-county region will have an opportunity to have a chairman in a rotating basis. No one said that we are going to add additional members from Philadelphia; no one said that Philadelphia, even though it provides 80 percent of the local match, will control the chairmanship throughout the history of the board, which has happened in other counties where the city of Philadelphia has not had a chairperson of the SEPTA Board nor will it ever have one under the current situation.

In addition, SEPTA right now has probably a billion dollars' worth of capital needs, a billion dollars' worth of capital needs. At some point in time someone is going to look to Harrisburg for some funding formula, some way to provide some assistance in those capital dollars. Very often you have to vote for support for SEPTA. Very often that is a very difficult vote for you to be able to explain back home. We are giving you an opportunity to say, now we are trying to make sure the State has additional membership on that board, and we are also trying to give you an opportunity to say that we are going to make sure that the board chairperson rotates—okay?—we are trying to make sure that that system operates more efficiently, and that is why we are voting for this amendment.

In addition, to the comments we hear that there were no problems going on at SEPTA, one of the major problems we have right now is the fact that the previous chairperson of the board, which is currently being sued by a former employee, was someone who meddled in the day-to-day involvement of the other board. SEPTA right now is in the process of trying to hire a new general manager. We should make sure that that general manager can be assured that the general manager is going to be able to take on all the day-to-day responsibilities of that authority without a chairman meddling in the day-to-day operations of the board. And one of the ways that we can do that is to make sure that the chairmanship rotates, that we do not allow a chairperson to stay in that position for a number of years where the chairperson of the board tends to operate like the general manager of the board, where the chairperson takes contracts and has individuals sign them without them going through the board for a vote. Those are some of the things that we are trying to correct that are going on right now at that authority.

It surprises me that the gentleman, Mr. Ryan, would think that I would be proposing something that would not be in the interest of good government and be in the interest of the integrity of this board, because quite frankly, that does not exist or has not existed over the last several years. We are trying to make sure that there is equal representation and that we do not have a dictator as the chairperson who in fact violates State law by not making sure that he becomes the chairperson of a board rather than operating as the general manager.

I am asking for your support. I think this is a good vote. It is an opportunity for the members of this House once and for all to say that we are taking it on ourselves to try to provide some leadership, some direction to a transit authority that we have to provide money to that needs additional support and direction from State Government on how it should operate.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. All those words - it still comes down to Philadelphia cannot get the chairmanship without the legislature interfering.

Now, Delaware County, my county, by way of example, I do not believe they have ever had the chair; I am not so sure that Bucks has ever had the chairmanship, but it is a democracy. Using the reasoning of the gentleman, Mr. Linton, Mr. Speaker, you should step down and share the chair because maybe Mr. Linton would like to be Speaker, and we could pass legislation that you can only be Speaker for a short while.

The SPEAKER. The Chair would hate to interrupt you, but there are going to be times this week when the Chair will feel like doing that.

Mr. RYAN. And I am sure, Mr. Speaker, that with your rulings there will be times when people would like that to happen, but I, of course, would not be one of them.

The SPEAKER. Of course not.

Mr. RYAN. The fact remains, Mr. Speaker, that I think this is a blatant political move on the part of the gentleman, Mr. Linton, to impugn the integrity of the SEPTA Board by unsubstantiated remarks. If he wants to worry about integrity, he ought to look a whole lot closer to home than he is looking right now.

How this gentleman, who I am told is the chairman of a committee that is investigating SEPTA, goes off on his own introducing legislation by way of amendment I think is wrong. If his committee is doing its job, they should have some kind of a report we can look at before we vote on a matter such as this.

### MOTION TO RECOMMIT

Mr. RYAN. Under those circumstances, Mr. Speaker, I believe I have talked myself into making a motion that this bill, HB 1340, together with the Linton amendments be recommitted to the Committee on Transportation, at least until such time as the special committee investigating SEPTA has had an opportunity to give us a report so that we can study it to see if maybe the gentleman, Mr. Linton, knows what he is talking about. I do not know whether he does or he does not, but he has control of a special committee that should be able to make recommendations.

I move accordingly that this bill together with the amendments be recommitted to the Committee on Transportation.

The SPEAKER. The question before the House is, shall the House recommit HB 1340 together with the offered amendment by Mr. Linton to the Committee on Transportation?

On the question,

Will the House agree to the motion?

### POINT OF ORDER

Mr. PRESTON. Point of order, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Preston. What is your point of order?

Mr. PRESTON. The bill came out of the Urban Affairs Committee.

The SPEAKER. Well, to answer the gentleman's point of order, the minority leader has a right to offer the motion to recommit to any committee. It does not matter where the bill came from.

POINT OF ORDER

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

Mr. FATTAH. Point of order, please.

The SPEAKER. What is your point?

Mr. FATTAH. I believe that in Representative Ryan's comments he questioned the maker of the amendment's motives and intent, and that is against the rules. I would like that struck from the record.

The SPEAKER. The Chair does not believe that the gentleman, Mr. Ryan, went beyond the boundaries set by the rules of this House. Debate is apt to be angry and lengthy but seldom gets mean. The Chair does not agree that Mr. Ryan got to the level where his remarks would have to be stricken from the record. The Chair did not hear any personal affront that Mr. Linton would have to take.

Now, let us get to the matter of the motion.

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

The following roll call was recorded:

YEAS—95

Table listing names of members who voted 'YEAS' (95 total). Includes names like Angstadt, Argall, Arty, Barley, Birmelin, Black, Book, Bowser, Boyes, Brandt, Bunt, Burd, Burns, Bush, Carlson, Cessar, Chadwick, Civera, Clymer, Cornell, DeVerter, Davies, Dempsey, Dietterick, Dininni, Durham, Fargo, Farmer, Fischer, Flick, Foster, Fox, Gallen, Gannon, Geist, Gladeck, Godshall, Gruppo, Hagarty, Hasay, Hayes, Heckler, Herman, Hershey, Hess, Honaman, Jadlowiec, Johnson, Kennedy, Kenney, Langtry, Lashinger, Leh, McClatchy, McVerry, Manmiller, Merry, Micozzie, Miller, Moechlmann, Mowery, Nahill, Noye, O'Brien, Perzel, Phillips, Piccola, Pitts, Punt, Raymond, Reber, Reinard, Robbins, Ryan, Saurman, Scheetz, Schuler, Semmel, Serafini, Sirianni, Smith, B., Smith, S. H., Snyder, D. W., Snyder, G., Stairs, Taylor, E. Z., Taylor, J., Vroon, Wass, Weston, Wogan, Wright, J. L., Wright, R. C.

NAYS—99

Table listing names of members who voted 'NAYS' (99 total). Includes names like Acosta, Battisto, Belardi, Belfanti, Billow, Blaum, Bortner, Bowley, Broujos, Caltagirone, Duffy, Evans, Fattah, Fee, Freeman, Gamble, George, Gruitza, Haluska, Harper, Linton, Livengood, Lloyd, Lucyk, McCall, McHale, Maiale, Maine, Manderino, Markosek, Rieger, Ritter, Roebuck, Rudy, Rybak, Saloom, Seventy, Showers, Staback, Steighner.

Table listing names of members who did not vote. Includes names like Cappabianca, Carn, Cawley, Clark, Cohen, Colafella, Cole, Corrigan, Cowell, Coy, DeLuca, DeWeese, Daley, Dawida, Dombrowski, Donatucci, Hayden, Howlett, Hughes, Hutchinson, Itkin, Jarolin, Josephs, Kasunic, Kitchen, Kosinski, Kukovich, LaGrotta, Lescovitz, Letterman, Levdansky, Mayernik, Melio, Michlovic, Mrkonic, Murphy, O'Donnell, Olasz, Oliver, Petrarca, Petrone, Pievsky, Pistella, Pressmann, Preston, Richardson, Stuban, Sweet, Taylor, F., Tigie, Trello, Van Horne, Veon, Wambach, Wiggins, Wozniak, Wright, D. R., Yandrisevits, Irvis, Speaker.

NOT VOTING—1

Morris

EXCUSED—2

Freind Jackson

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

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

The following roll call was recorded:

YEAS—92

Table listing names of members who voted 'YEAS' (92 total). Includes names like Acosta, Battisto, Belardi, Belfanti, Billow, Blaum, Bortner, Broujos, Caltagirone, Cappabianca, Carn, Cawley, Clark, Cohen, Colafella, Cole, Cowell, Coy, DeLuca, DeWeese, Daley, Dawida, Dombrowski, Donatucci, Duffy, Evans, Fattah, Fee, Freeman, Gamble, George, Gruitza, Harper, Hayden, Howlett, Hughes, Hutchinson, Itkin, Josephs, Kasunic, Kitchen, Kosinski, Kukovich, LaGrotta, Lescovitz, Levdansky, Linton, Livengood, Lloyd, Lucyk, McCall, McHale, Maiale, Maine, Manderino, Markosek, Mayernik, Miller, Mrkonic, Murphy, O'Donnell, Olasz, Oliver, Petrarca, Petrone, Pievsky, Pistella, Pressmann, Preston, Richardson, Rieger, Ritter, Roebuck, Rybak, Saloom, Showers, Staback, Steighner, Stuban, Sweet, Taylor, F., Tigie, Trello, Van Horne, Veon, Wambach, Wiggins, Wozniak, Wright, D. R., Yandrisevits, Irvis, Speaker.

NAYS—101

Table listing names of members who voted 'NAYS' (101 total). Includes names like Angstadt, Argall, Arty, Barley, Birmelin, Black, Book, Bowley, Bowser, Boyes, Brandt, Bunt, Burd, Burns, Bush, Carlson, Cessar, Dininni, Distler, Dorr, Durham, Fargo, Farmer, Fischer, Flick, Foster, Fox, Gallen, Gannon, Geist, Gladeck, Godshall, Gruppo, Hagarty, Jadlowiec, Jarolin, Johnson, Kennedy, Kenney, Langtry, Lashinger, Leh, McClatchy, McVerry, Manmiller, Melio, Merry, Micozzie, Moechlmann, Morris, Mowery, Raymond, Reber, Reinard, Robbins, Rudy, Ryan, Saurman, Scheetz, Schuler, Semmel, Serafini, Sirianni, Smith, B., Smith, S. H., Snyder, D. W., Snyder, G., Stairs.

Chadwick	Haluska	Nahill	Taylor, E. Z.
Civera	Hasay	Noye	Taylor, J.
Clymer	Hayes	O'Brien	Vroon
Cornell	Heckler	Perzel	Wass
Corrigan	Herman	Phillips	Weston
DeVerter	Hershey	Piccola	Wogan
Davies	Hess	Pitts	Wright, J. L.
Dempsey	Honaman	Punt	Wright, R. C.
Dietterick			

NOT VOTING—2

Letterman Seventy

EXCUSED—2

Freind Jackson

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?  
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—182

Acosta	Dombrowski	Kukovich	Punt
Angstadt	Donatucci	LaGrotta	Raymond
Argall	Dorr	Langtry	Reber
Arty	Duffy	Lashinger	Reinard
Barley	Durham	Leh	Rieger
Battisto	Evans	Lescovitz	Ritter
Belfanti	Fargo	Letterman	Robbins
Billow	Farmer	Levdansky	Roebuck
Birmelin	Fattah	Linton	Rudy
Black	Fee	Livengood	Ryan
Blaum	Fischer	Lucyk	Rybak
Book	Flick	McCall	Saurman
Bortner	Foster	McClatchy	Scheetz
Bowser	Fox	McHale	Schuler
Boyes	Gallen	McVerry	Semmel
Brandt	Gamble	Maiale	Serafini
Broujos	Gannon	Maine	Seventy
Bunt	Geist	Manderino	Showers
Burd	George	Manmiller	Sirianni
Burns	Gladeck	Markosek	Smith, B.
Bush	Godshall	Mayernik	Smith, S. H.
Caltagirone	Gruitza	Melio	Snyder, D. W.
Cappabianca	Gruppo	Merry	Snyder, G.
Carlson	Hagarty	Michlovic	Staback
Carn	Haluska	Micozzie	Stairs
Cessar	Harper	Miller	Steighner
Chadwick	Hasay	Moehlmann	Stuban
Civera	Hayden	Morris	Sweet
Clark	Hayes	Mowery	Taylor, E. Z.
Clymer	Heckler	Mrkonic	Taylor, F.
Cohen	Herman	Murphy	Taylor, J.
Colafiglia	Hershey	Nahill	Trello
Cole	Hess	Noye	Van Horne
Cornell	Honaman	O'Brien	Veon
Corrigan	Howlett	O'Donnell	Vroon
Cowell	Hughes	Olasz	Wambach
Coy	Hutchinson	Oliver	Wass
DeLuca	Itkin	Perzel	Weston
DeWeese	Jadlowiec	Petrarca	Wogan
Daley	Johnson	Petrone	Wozniak
Davies	Josephs	Phillips	Wright, D. R.
Dawida	Kasunic	Piccola	Wright, J. L.
Dempsey	Kennedy	Pievsky	Wright, R. C.
Dietterick	Kenney	Pistella	

Dininni	Kitchen	Pitts	Irvis,
Distler	Kosinski	Preston	Speaker

NAYS—9

Bowley	Lloyd	Richardson	Tigue
DeVerter	Pressmann	Saloom	Yandrisevits
Freeman			

NOT VOTING—4

Belardi	Cawley	Jarolin	Wiggins
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EXCUSED—2

Freind Jackson

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

\* \* \*

The House proceeded to third consideration of SB 613, PN 2155, entitled:

An Act amending the act of January 17, 1968 (P. L. 11, No. 5), entitled "The Minimum Wage Act of 1968," increasing the minimum wage and removing exceptions regarding coverage of the Federal law and persons who are employed by certain educational institutions.

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

The SPEAKER. The Chair recognizes the gentleman from Chester, Mr. Pitts, who offers the following amendment, which the clerk will read.

Mr. PITTS. Mr. Speaker, I yield to the gentleman, Mr. Johnson.

**MOTION TO REVERT  
TO PRIOR PRINTER'S NUMBER**

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

Mr. JOHNSON. Thank you, Mr. Speaker.

On behalf of our hundreds of veterans who have been held prisoner many times under very cruel circumstances by the enemy of our Nation, I would like to respectfully make the motion that we revert to the prior printer's number out of respect to those veterans and to help them. Thank you, sir.

The prior printer's number, Mr. Speaker, provided that prisoners of war now have—

The SPEAKER. Just a moment. What is the number of the prior printer's number?

Mr. JOHNSON. Number 678.

The SPEAKER. Number 678. We have it.

The motion of the gentleman, Mr. Johnson, is that the House revert to prior PN 678 on SB 613.

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

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the bill that is before us in its present form, without a reversion to the prior printer's number, is the minimum-wage bill. It is a bill that is sorely needed by the minimum-wage earners in Pennsylvania, and I would ask that we not revert to a prior printer's number. The respect that the gentleman is according to the former prisoners of war is the respect that every member of this House accords to former prisoners of war, and I will assure the gentleman that the matter can be handled otherwise.

This was chosen as a vehicle because there were no requests in this House from any member, including the member who now shows deep concern, that this bill be removed from the committee where it was lodged. It is used as a vehicle to demonstrate this House's impatience with the Senate in dealing with the minimum-wage issue that passed this House with bipartisan support.

I ask that we continue with that bipartisan support this afternoon by voting against the motion to revert and getting on with the business of passing a minimum-wage bill. Thank you, Mr. Speaker.

The SPEAKER. On the motion, the Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, the prior printer's number covers the following situation: It exempts from the payment of camping and trailer camping permit fees any former prisoner of war, and that also excludes those fees for electrical services, cabin rentals, and the like where the stay is less than 3 days.

The gentleman, Mr. Manderino, says that this is not apparently important enough that anyone requested that it move out of committee. I do not know that that is the case at all. I fail to understand why the chairman of the committee did not move it out on its own, and I fully expected that the gentleman, Mr. George, would have moved that bill out in the form that it was in to take care of and recognize the former prisoners of war of Pennsylvania.

I agree with the gentleman, Mr. Johnson, that we should revert to the prior printer's number. Thank you.

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

The following roll call was recorded:

YEAS—80

Argall	Distler	Johnson	Reber
Barley	Dorr	Kenney	Reinard
Birmelin	Fargo	Langtry	Robbins
Black	Farmer	Lashinger	Ryan
Book	Flick	Leh	Saurman
Bowser	Foster	McClatchy	Scheetz
Brandt	Fox	McVerry	Schuler
Bunt	Gallen	Manmiller	Semmel
Burd	Geist	Merry	Sirianni
Bush	Gladeck	Moehlmann	Smith, B.
Carlson	Godshall	Mowery	Smith, S. H.
Cessar	Gruppo	Nahill	Snyder, D. W.
Chadwick	Hagarty	Noye	Snyder, G.
Clymer	Hayes	O'Brien	Stairs
Cornell	Heckler	Olasz	Taylor, E. Z.
DeVerter	Herman	Perzel	Taylor, J.
Davies	Hershey	Phillips	Vroon
Dempsey	Hess	Piccola	Weston
Dietterick	Honaman	Pitts	Wogan
Dininni	Jadlowiec	Punt	Wright, J. L.

NAYS—109

Acosta	Dombrowski	Levdansky	Rieger
Angstadt	Donatucci	Livengood	Ritter
Arty	Duffy	Lloyd	Roebuck
Battisto	Durham	Lucyk	Rudy
Belardi	Evans	McCall	Rybak
Belfanti	Fattah	McHale	Saloom
Billow	Fee	Maiale	Serafini
Blaum	Freeman	Maine	Seventy
Bortner	Gannon	Manderino	Showers
Bowley	George	Markosek	Staback
Boyes	Gruitza	Mayernik	Steighner
Broujos	Haluska	Melio	Stuban
Burns	Harper	Michlovic	Sweet
Caltagirone	Hasay	Micozzie	Taylor, F.
Cappabianca	Hayden	Miller	Tigue
Carn	Howlett	Morris	Trello
Cawley	Hughes	Mrkonic	Van Horne
Civera	Hutchinson	Murphy	Veon
Cohen	Itkin	O'Donnell	Wambach
Colafella	Jarolin	Oliver	Wass
Cole	Josephs	Petrarca	Wozniak
Corrigan	Kasunic	Petrone	Wright, D. R.
Cowell	Kitchen	Pievsky	Wright, R. C.
Coy	Kosinski	Pistella	Yandrisevits
DeLuca	Kukovich	Pressmann	
DeWeese	LaGrotta	Preston	Irvis,
Daley	Lescovitz	Raymond	Speaker
Dawida	Letterman	Richardson	

NOT VOTING—6

Clark	Gamble	Linton	Wiggins
Fischer	Kennedy		

EXCUSED—2

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

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

MOTION TO RECOMMIT

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, I would like to make a motion.

The SPEAKER. What is the gentleman, Mr. Ryan's motion?

Mr. RYAN. Mr. Speaker, we have had before this House the question of minimum wages. We have had an opportunity to look it over. We have had an opportunity to vote on it. I am not so sure that we have sufficient information on it. Just today additional information came down to at least my desk—it may be that it has been available for a while—from the Commonwealth Foundation for Public Policy Alternatives. This information and other information I think really should be sifted out by the committee.

Accordingly, I move at this time that this bill be recommitted to the Committee on Labor for further study. Thank you, Mr. Speaker.

The SPEAKER. The motion of the gentleman, Mr. Ryan, is that SB 613, PN 2155, be recommitted to the Committee on Labor Relations.



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

The SPEAKER. On the motion, the Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, I think everyone in here knows what this bill is all about. The issue has been debated.

I ask for a negative vote, and let us get on with the business of passage.

The SPEAKER. On the motion, the Chair recognizes the gentleman from Crawford, Mr. Merry.

Mr. MERRY. May I express my disappointment that the previous motion did not pass, because it had good merit, if we could have reverted it back to the previous printer's number, because this issue of minimum wage is one that is quite misunderstood amongst the public and also the General Assembly.

For instance, we all just got—

Mr. MANDERINO. Mr. Speaker?

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Would the gentleman confine his remarks to the motion before the House.

The SPEAKER. The gentleman is so instructed. You may proceed, Mr. Merry.

Mr. MERRY. That is the purpose of my remarks, Mr. Speaker.

We just got a green sheet that says we should pass a bill that will enable people to escape from poverty and to achieve economic security.

When we discussed this issue in the Labor Relations Committee, on which I serve, the committee members at that time asked for a public hearing. The issue was put forth from the committee without the benefit of a hearing, and many misconceptions are still amongst us all. I believe that if the committee could have the purpose of having committee meetings on it and having hearings, we could bring out that there is a definite need to bring people up economically. But perhaps raising the minimum wage and creating inflation in the United States and putting Pennsylvania's products at a price disadvantage throughout the United States is not the answer or the way to do it.

Mr. Speaker, I think it is imperative that we have hearings throughout Pennsylvania to prove the best way to address our economic needs rather than to pass this amendment. I urge the passage of the Ryan motion that would recommit this to the Labor Relations Committee.

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

Mr. COHEN. Mr. Speaker, the House Labor Relations Committee has already conducted hearings all across the State. I deeply regret that Mr. Merry's schedule did not permit him to attend any of them. But these hearings dealt in great detail with all the points made.

This idea that is in Representative Pitts' amendment was first presented to the Labor Relations Committee by Dr. Michael Weinstein in August of 1987. In addition, on October 19, 1987, the Pennsylvania Food Merchants Association sent

a letter to all the members of the House recommending we support this idea. There is nothing new about this idea. It has been kicking around Congress for over 20 years. I think we already understand it fully.

I would urge a "no" vote on this motion.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Gamble, on the motion to recommit.

Mr. GAMBLE. Mr. Speaker, in the quest for uniformity, I ask that we send this bill back to the Labor Committee.

I talked to Congressman Murphy's office a few moments ago, and the minimum-wage bill was voted out of that subcommittee and is scheduled for a vote on June 22 before the full House of Representatives, and that would make it, of course, uniform across this country. Why we are trying to jump the gun on that is beyond me. I think we need some time to see what the Congress does. Let us put it back into committee.

### PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Northumberland, Mr. Belfanti.

Mr. BELFANTI. Mr. Speaker, a parliamentary inquiry.

I wonder if it is in order to interrogate someone who has spoken on the motion to recommit. Can I interrogate on this motion?

The SPEAKER. You certainly may. Whom do you wish to interrogate?

Mr. BELFANTI. I would then like to ask Representative Gamble to stand for interrogation.

The SPEAKER. Mr. Gamble indicates he will stand for interrogation.

Mr. BELFANTI. Thank you, Mr. Speaker.

I would like to ask the gentleman whether or not Congressman Murphy gave him any indication as to when the full House of Representatives will vote on it?

Mr. GAMBLE. I did not talk to Congressman Murphy; I talked to his chief counsel within the half hour, and he said it is scheduled for a vote on June 22.

Mr. BELFANTI. Thank you, Mr. Speaker.

Another question: Did the Congressman's office give any indication as to whether or not the U.S. Senate would take the matter up?

Mr. GAMBLE. No; we did not discuss that. The only thing we discussed was the timing of it and what the contents of the bill are, and the contents of the bill are a 40-cent increment over the next 3 years without indexing. The indexing could not pass muster in the Congress, but that is what we are going to try to attempt here later today.

Mr. BELFANTI. Then I also take it that the President of the United States has not changed his position on the matter if it reaches his desk after passage.

Mr. Speaker, I would like to make a comment.

The SPEAKER. The gentleman may make his comment on the motion.

Mr. BELFANTI. I would like to agree with the majority leader and the chairman of the Labor Relations Committee. This matter has been kicked around for years and years. It has been 1981 since the last raise in the minimum wage, and every time we delay adjusting this wage, it just puts these people at the very bottom of the working class in this Commonwealth that much further behind.

I think the time for delay has long passed. Let us get to the heart of the matter and vote the bill. Thank you.

The SPEAKER. On the motion, those in favor of recommitment will vote "aye"; those opposed, "no."

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

The following roll call was recorded:

YEAS—84

Argall	Distler	Kennedy	Punt
Barley	Dorr	Kenney	Reber
Birmelin	Fargo	Langtry	Reinard
Black	Farmer	Lashingier	Robbins
Book	Flick	Leh	Ryan
Bowley	Foster	Letterman	Saurman
Bowser	Fox	McClatchy	Scheetz
Brandt	Gallen	McVerry	Schuler
Bunt	Gamble	Manmiller	Semmel
Burd	Geist	Merry	Serafini
Bush	Gladeck	Moehlmann	Smith, B.
Carlson	Godshall	Mowery	Smith, S. H.
Cessar	Hagarty	Murphy	Snyder, D. W.
Chadwick	Hayes	Nahill	Snyder, G.
Clymer	Heckler	Noye	Stairs
Cornell	Herman	O'Brien	Taylor, E. Z.
DeVertter	Hershey	Olasz	Taylor, J.
Davies	Hess	Perzel	Vroon
Dempsey	Honaman	Phillips	Weston
Dietterick	Jadlowiec	Piccola	Wogan
Dininni	Johnson	Pitts	Wright, J. L.

NAYS—105

Acosta	Dawida	LaGrotta	Raymond
Angstadt	Dombrowski	Lescovitz	Richardson
Arty	Donatucci	Levdansky	Rieger
Battisto	Duffy	Linton	Ritter
Belardi	Durham	Livengood	Roebuck
Belfanti	Evans	Lloyd	Rybak
Billow	Fattah	Lucyk	Saloom
Blaum	Fee	McCall	Showers
Bortner	Freeman	McHale	Staback
Boyes	Gannon	Maiale	Steighner
Broujos	George	Maine	Stuban
Burns	Gruitza	Manderino	Sweet
Caltagirone	Gruppo	Markosek	Taylor, F.
Cappabianca	Haluska	Mayernik	Tigue
Carn	Harper	Melio	Trello
Cawley	Hasay	Michlovic	Van Horne
Civera	Hayden	Micozzie	Veon
Clark	Howlett	Miller	Wambach
Cohen	Hughes	Morris	Wass
Colafella	Hutchinson	O'Donnell	Wozniak
Cole	Itkin	Oliver	Wright, D. R.
Corrigan	Jarolin	Petrarca	Wright, R. C.
Cowell	Josephs	Petrone	Yandrisevits
Coy	Kasunic	Pievsky	
DeLuca	Kitchen	Pistella	
DeWeese	Kosinski	Pressmann	Irvis,
Daley	Kukovich	Preston	Speaker

NOT VOTING—6

Fischer	Rudy	Sirianni	Wiggins
Mrkonic	Seventy		

EXCUSED—2

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

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

Mr. PITTS offered the following amendments No. A3418:

Amend Title, page 1, lines 23 through 32, by striking out all of said lines and inserting

Providing an earned income tax credit for parents with dependent children and limited income; and providing the limitations and qualifications of the credit.

Amend Bill, page 2, lines 3 through 30; page 3, lines 1 through 30; page 4, lines 1 through 8, by striking out all of said lines on said pages and inserting

Section 1. Short title.

This act shall be known and may be cited as the Earned Income Tax Credit Law.

Section 2. Definitions.

The following words and phrases when used in this act shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"Annual minimum wage income." Annual minimum wage income shall be calculated by multiplying the amount of the hourly minimum wage under the act of January 17, 1968 (P.L.11, No.5), known as The Minimum Wage Act of 1968, in this Commonwealth by 40, then multiplied again by 52.

"Dependent child." A dependent child is the natural child, adopted child, stepchild or grandchild who is provided with more than one-half of his or her support by the eligible claimant filing for the earned income tax credit. The dependent child must be under 19 years of age in the tax year the eligible claimant files for the credit; unless the child was enrolled at a school for any five months of the tax year.

"Earned income tax credit." The earned income tax credit is a refundable tax credit available to a low-income worker who maintains a household in this Commonwealth that is the principal place of abode of the worker and his dependent child or children for more than one-half of the taxable year.

"Eligible claimant." An eligible claimant is a parent, step-parent or grandparent who provides more than one-half of the support for a dependent child who must reside in their home. If, for any reason, the dependent child's parents live apart, then the eligible claimant is the parent who resided with the child for more than six months of the tax year.

"Support." Support shall mean the support test defined by section 152 of the Internal Revenue Code of 1954 (68A Stat. 3, 26 U.S.C. § 152 et seq.)

"Total income." Total income for an eligible claimant shall include all classes of income, as defined by section 303 of the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971.

Section 3. Calculation of tax credit.

The amount of the earned income tax credit available to an eligible claimant shall be equal to the amount of total income by an eligible claimant in the calendar year not exceeding the annual minimum wage income, multiplied by the appropriate percentage for number of children per household, as listed below.

- (1) One child - 14%.
- (2) Two children - 21%.

- (3) Three children - 28%.
- (4) Four or more children - 35%.

The earned income credit will be reduced for eligible claimants with income exceeding annual minimum wage income and eliminated for those individuals with income exceeding annual minimum wage income by \$10,000. The earned income tax credit will be reduced for those eligible claimants with income exceeding annual minimum wage income by an amount equal to 10% of the tax credit for every thousand dollars in excess of annual minimum wage income.

Section 4. Time to take tax credit.

Eligible claimants may take the earned income tax credit only in the current tax year. The credit may not be carried over from one tax year to the next.

Section 5. Disbursement of credit during tax year.

Eligible claimants may choose to receive advanced payment of the earned income tax credit throughout the tax year. The eligible claimant must fill out an appropriate form, as provided by the Department of Revenue, notifying the department that he wishes to receive advanced payment of this credit, instead of waiting until he files his annual tax return. The Department of Revenue will promulgate regulations regarding the implementation of the advanced payment of the earned income credit.

Section 6. Effective date.

This act shall take effect January 1, 1989.

On the question,

Will the House agree to the amendments?

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

Mr. PITTS. Thank you, Mr. Speaker.

This is amendment A3418. There were two versions of this, and this is the correct version.

Mr. Speaker, we are back again considering the issue of minimum wage, and I do not doubt the motives of those who are promoting this legislation, but I think their solution is wrong. There is a way of helping the working poor without hurting them, hurting the employees or the employers, those who would lose their jobs. There is a way of helping the working poor without subsidizing 80 percent of the people who make minimum wage who are not poor, without subsidizing the well-to-do, and that alternative that we are offering in amendment form today is the earned income tax credit. This earned-income-tax-credit amendment is actually based on the Federal proposal that is being offered in Congress by Congressman Petri and Congressman Murphy of Pennsylvania and enjoys significant bipartisan support there.

The argument espoused by supporters of this legislation is that raising the minimum wage will have a detrimental effect on the economy and hurt those whom it is supposed to help. This proposal does not place the burden of increasing the income of minimum-wage workers on employers, and at the same time, it significantly increases the income of the working poor. Full credit is available only to those persons with children and income not exceeding the annual minimum wage. That is computed, calculated, by multiplying the Pennsylvania minimum hourly wage by a 40-hour week and 52 weeks per year. Those persons with children and income exceeding the annual minimum wage but not exceeding the annual minimum wage by more than \$10,000 would receive a partial credit. This credit can be applied for when the taxpayer files

his annual tax return. The amendment has provisions similar to the Federal law that allows the credit to be disbursed to the taxpayer during the year instead of at the end of the year when the tax return is filed and provides for the Department of Revenue to promulgate regulations in regard to that advanced payment.

The State earned income tax credit is calculated by multiplying the total income not exceeding the minimum-wage income by the appropriate percentage for the number of children per household, going from 14 percent for one child; 21 percent for two children; 28 percent for three; and 35 percent for four or more children. The maximum credit available for eligible claimants with income not exceeding the minimum-wage income would go from \$976 for one child up to \$2,439 for four or more children.

Mr. Speaker, I think this is a way to provide targeted help to those working poor who need it without eliminating jobs, especially those entry-level jobs that the studies have shown will result if we adopt the minimum-wage proposal before us. How can people climb that career ladder when they cannot get on the first rung? I think sometimes we have a way of helping people that turns out to be hurting them.

I would urge, Mr. Speaker, that we adopt this amendment.

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

Mr. COHEN. Mr. Speaker, Pennsylvania has the lowest income tax in the country of any State which has an income tax, and I am proud of that. I would like us to maintain that distinction.

This amendment is a threat to our maintaining this distinction. Mr. Pitts is giving away huge amounts of money to families of low-income workers in order that their employers, who in many cases are multibillion-dollar corporations, multinational corporations, can avoid paying them more than \$3.35 an hour. I do not think this is the best use of the taxpayers' money. I do not think the best thing we can do for an unwed or widowed mother who is supporting, say, two children on minimum wage is to give them \$2,000 a year out of taxpayers' money. I do not think we ought to be giving a family with four children \$2,439 a year out of taxpayers' money. What we ought to be doing is requiring that the employers pay a wage that is fair to the people.

In California the minimum wage is \$4.25 an hour now; in Connecticut it is \$4.25 an hour. This is something that is eminently possible. There is no reason why we cannot pass the bill as it stands. We do not need a massive subsidy from taxpayers' dollars. That is what this amendment is, and I think that we ought to defeat this amendment and save the taxpayers' money.

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

Mr. PRESSMANN. Thank you, Mr. Speaker.

Mr. Speaker, will the gentleman, Mr. Pitts, stand for a brief period of interrogation?

The SPEAKER. Mr. Pitts indicates he will so stand. You may proceed, Mr. Pressmann.

Mr. PRESSMANN. Mr. Speaker, does the gentleman have a fiscal note on his amendment?

Mr. PITTS. It has been requested. I do not have it.

Mr. PRESSMANN. Mr. Speaker, does the gentleman have any idea what the cost of his amendment will be?

Mr. PITTS. Based on Office of Management and Budget information from Congress, it would be less costly to the State than the minimum-wage bill before us.

Mr. PRESSMANN. Less costly to whom, Mr. Speaker?

Mr. PITTS. To the State. There is a loss of jobs, employment; there is a loss of revenue with the present bill that you have.

Mr. PRESSMANN. Mr. Speaker, do you have any kind of dollar amount on this? Is there a dollar figure on this?

Mr. PITTS. The only thing we have is national figures, and based on the national figures, this bill would cost \$2 billion nationally. We do not have State figures.

Mr. PRESSMANN. Mr. Speaker, if I am reading your amendment right, the only people that would be eligible for this earned income credit would be people who have a dependent child. Is that correct?

Mr. PITTS. That is correct.

Mr. PRESSMANN. So if I were a single person trying to live on the minimum-wage salary, I would not be eligible for this payment?

Mr. PITTS. Yes.

Mr. PRESSMANN. That is correct?

Mr. PITTS. That is correct.

Mr. PRESSMANN. Thank you.

Thank you, Mr. Speaker. I would like to make a statement on the amendment.

The SPEAKER. The gentleman has the floor. He may proceed.

Mr. PRESSMANN. Thank you, Mr. Speaker, and I thank the gentleman for standing for interrogation.

Mr. Speaker, I rise to oppose this amendment. I think that Mr. Pitts has the germ of a good idea here, and probably under normal circumstances I would support this. But as a substitute for a minimum-wage hike, I think that it does not go far enough. There are many people in this Commonwealth who are dependent on the minimum wage to earn their living to keep themselves, and this amendment does not address them.

Also, Mr. Pitts through his amendment hopes to exclude students. There are many students in our Commonwealth who are trying to work their way through college. The cost of college tuition keeps rising and rising along with room and board, and as we in the General Assembly well know from our mail, we have not done as good a job funding higher education, so in many ways it is up to the students to fund their own education through their work. I do not think anything would be served by leaving them behind.

Also, the point that Mr. Cohen makes is very important. What Mr. Pitts is asking for here is once again for the State to subsidize business by giving this tax break instead of business paying their employees a good and workable and livable wage.

I ask for a "no" vote.

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

### ANNOUNCEMENT BY SPEAKER

The SPEAKER. The Chair congratulates Mr. Veon. The information of the floor is the gentleman entered that area loosely referred to as marital bliss on the 28th of May. Congratulations.

Mr. VEON. Thank you, Mr. Speaker.

### CONSIDERATION OF SB 613 CONTINUED

The SPEAKER. The Chair recognizes Mr. Veon.

Mr. VEON. Mr. Speaker, I think Mr. Cohen and Mr. Pressmann touched upon the most important part of Mr. Pitts' amendment. This concept has been discussed at length on the Federal level, and it has received some bipartisan support. I think it is a concept that is worthy of further discussion in the Pennsylvania General Assembly, but I do not think it is a proposal that this House should adopt at this time, number one; and number two, nor do I think it is a proposal that should be a replacement or a substitute for an increase in the minimum wage in Pennsylvania. Mr. Cohen and Mr. Pressmann touched on the most important reason - that this would simply be another subsidy to businesses by the taxpayers of Pennsylvania.

Recently I asked the Department of Public Welfare to provide me some figures to bear out the fact that I thought was correct, that by allowing our minimum wage to stay at \$3.35 an hour, we are in fact today subsidizing businesses in Pennsylvania.

Mr. Speaker, of the 183,000-plus individuals in receipt of AFDC (aid to families with dependent children) funds in Pennsylvania, 11,000 of those individuals are currently employed. Mr. Speaker, of the 126,000-plus individuals receiving cash assistance, 2,500 of those individuals are employed. Mr. Speaker, of the 389,000-plus individuals receiving food stamps in the Commonwealth of Pennsylvania, 62,000 of them are employed.

Mr. Speaker, I submit that this is a direct subsidy by the taxpayers of Pennsylvania to the businesses who continue to pay a slave-wage rate in Pennsylvania. I think we have an obligation. I think it is time to raise the minimum wage, and let us do it now, today, in the General Assembly. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—77

Argall	Farmer	Langtry	Reber
Barley	Flick	Lashingier	Reinard
Birmelin	Fox	Leh	Robbins
Black	Gallen	McClatchy	Ryan
Book	Gamble	McVerry	Saurman
Bowser	Geist	Manmiller	Scheetz
Brandt	Gladeck	Merry	Schuler

Bunt	Godshall	Miller	Semmel
Burd	Hagarty	Moehlmann	Serafini
Bush	Hayes	Mowery	Sirianni
Carlson	Heckler	Nahill	Smith, B.
Cessar	Herman	Noye	Smith, S. H.
Chadwick	Hershey	O'Brien	Snyder, G.
Clymer	Hess	Olasz	Stairs
Cornell	Honaman	Perzel	Taylor, E. Z.
Dempsey	Jadlowiec	Phillips	Taylor, J.
Dietterick	Johnson	Piccola	Weston
Diminni	Kennedy	Pitts	Wogan
Distler	Kenney	Punt	Wright, J. L.
Dorr			

NAYS—117

Acosta	Dawida	Lescovitz	Rieger
Angstadt	Dombrowski	Letterman	Ritter
Arty	Donatucci	Levdansky	Roebuck
Battisto	Duffy	Linton	Rudy
Belardi	Durham	Livengood	Rybak
Belfanti	Evans	Lloyd	Saloom
Billow	Fargo	Lucyk	Seventy
Blaum	Fattah	McCall	Showers
Bortner	Fee	McHale	Snyder, D. W.
Bowley	Foster	Maiale	Staback
Boyes	Freeman	Maine	Steighner
Broujos	Gannon	Manderino	Stuban
Burns	George	Markosek	Sweet
Caltagirone	Gruitza	Mayernik	Taylor, F.
Cappabianca	Gruppo	Melio	Tigue
Carn	Haluska	Michlovic	Trello
Cawley	Harper	Micozzie	Van Horne
Civera	Hasay	Morris	Veon
Clark	Hayden	Mrkonic	Vroon
Cohen	Howlett	Murphy	Wambach
Colafella	Hughes	O'Donnell	Wass
Cole	Hutchinson	Oliver	Wiggins
Corrigan	Itkin	Petrarca	Wozniak
Cowell	Jarolin	Petrone	Wright, D. R.
Coy	Josephs	Pievsky	Wright, R. C.
DeLuca	Kasunic	Pistella	Yandrisevits
DeVerter	Kitchen	Pressmann	
DeWeese	Kosinski	Preston	Irvis,
Daley	Kukovich	Raymond	Speaker
Davies	LaGrotta	Richardson	

NOT VOTING—1

Fischer

EXCUSED—2

Freind Jackson

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?

Mr. COHEN offered the following amendment No. A3421:

Amend Sec. 2 (Sec. 4), page 4, line 5, by striking out "1991" and inserting

1992

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

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

Mr. COHEN. Mr. Speaker, this amendment just corrects a typographical error in the bill. Section (8)(A.1) says that "The Department of Labor and Industry shall publish the minimum wage determined under subsection (A)(8) in the Pennsylvania

Bulletin no later than January 1 of each year, beginning January 1, 1991." It should be "...beginning January 1, 1992."

I ask support for this amendment.

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

The following roll call was recorded:

YEAS—192

Acosta	Distler	LaGrotta	Reinard
Angstadt	Dombrowski	Langtry	Richardson
Argall	Donatucci	Lashingner	Rieger
Arty	Dorr	Leh	Ritter
Barley	Duffy	Lescovitz	Robbins
Battisto	Durham	Letterman	Roebuck
Belardi	Evans	Levdansky	Rudy
Belfanti	Fargo	Linton	Ryan
Billow	Farmer	Livengood	Rybak
Birmelin	Fattah	Lloyd	Saloom
Black	Fee	Lucyk	Saurman
Blaum	Flick	McCall	Scheetz
Book	Foster	McClatchy	Schuler
Bortner	Fox	McHale	Semmel
Bowley	Freeman	McVerry	Serafini
Bowser	Gallen	Maiale	Seventy
Boyes	Gamble	Maine	Showers
Brandt	Gannon	Manderino	Sirianni
Broujos	Geist	Manmiller	Smith, B.
Bunt	George	Markosek	Smith, S. H.
Burd	Gladeck	Mayernik	Snyder, D. W.
Burns	Godshall	Merry	Snyder, G.
Bush	Gruitza	Michlovic	Staback
Caltagirone	Gruppo	Micozzie	Stairs
Cappabianca	Hagarty	Miller	Steighner
Carlson	Haluska	Moehlmann	Stuban
Carn	Harper	Morris	Sweet
Cawley	Hasay	Mowery	Taylor, E. Z.
Cessar	Hayden	Mrkonic	Taylor, F.
Chadwick	Hayes	Murphy	Taylor, J.
Civera	Heckler	Nahill	Tigue
Clark	Herman	Noye	Trello
Clymer	Hershey	O'Brien	Van Horne
Cohen	Hess	O'Donnell	Veon
Colafella	Honaman	Olasz	Vroon
Cole	Howlett	Oliver	Wambach
Cornell	Hughes	Petrarca	Wass
Corrigan	Hutchinson	Petrone	Weston
Cowell	Itkin	Phillips	Wiggins
Coy	Jadlowiec	Piccola	Wogan
DeLuca	Jarolin	Pievsky	Wozniak
DeVerter	Johnson	Pistella	Wright, D. R.
DeWeese	Josephs	Pitts	Wright, J. L.
Daley	Kasunic	Pressmann	Wright, R. C.
Davies	Kennedy	Preston	Yandrisevits
Dawida	Kenney	Punt	
Dempsey	Kitchen	Raymond	Irvis,
Dietterick	Kosinski	Reber	Speaker
Diminni	Kukovich		

NAYS—0

NOT VOTING—3

Fischer Melio Perzel

EXCUSED—2

Freind Jackson

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

On the question,

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

Mr. GAMBLE offered the following amendments No. A3415:

Amend Title, page 1, line 30, by inserting a semicolon after "WAGE"

Amend Title, page 1, line 31, by inserting a period after "LAW"

Amend Title, page 1, lines 31 and 32, by striking out "AND PERSONS" in line 31 and all of line 32

Amend Sec. 2 (Sec. 4), page 3, lines 20 through 30; page 4, lines 1 through 5, by striking out all of said lines on said pages and inserting

(5) Three dollars sixty cents (\$3.60) an hour beginning January 1, 1989.

(a.1) If, before July 1, 1989, the minimum wage set forth in the Fair Labor Standards Act of 1938 (52 Stat. 1060, 29 U.S.C. § 201 et seq.), as amended, is increased above three dollars thirty-five cents (\$3.35) an hour, the minimum wage required under this section shall be increased by the same amounts, effective the same date, as the increases under the Fair Labor Standards Act.

Amend Sec. 3, page 4, line 7, by striking out all of said line

Amend Sec. 4, page 4, line 8, by striking out "4" and inserting

3

On the question,

Will the House agree to the amendments?

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

Mr. GAMBLE. Mr. Speaker, what the amendment does, simply, is if you want to vote for a minimum wage today, this is how to do it.

This increases the minimum wage to \$3.60 as of January, and when the Feds and when the Congress pass their minimum-wage bill, it is tied in to it. For example, if we pass this bill, it will be \$3.60 an hour in January, and if the Congress passed theirs and it went into effect, ours would be negated and the congressional bill would be the one that would stand.

What this does again is the same argument I presented before. It brings about uniformity, and since the Congress is about to act on the minimum-wage bill this month, we can still vote for a minimum wage here today to the increase of \$3.60.

I ask for an affirmative vote on this amendment.

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

Mr. COHEN. Mr. Speaker, this amendment is similar to an amendment that was presented last time we voted on this. It basically guts the bill. It says that as long as Congress does anything, our law does not count. The only thing that we get out of this is a 25-cent increase effective January 1, 1989. That cuts in half the January 1, 1989, increase from 50 cents in this bill as it now stands to 25 cents. All Congress has to do is pass any minimum-wage increase at all and then this law is null and void. That does not make sense.

The key elements, the rationale for this bill is to put pressure on Congress to act in a meaningful fashion. Congress will

only act in a meaningful fashion if enough States act in a meaningful fashion, and if they choose not to act, then we have to guarantee that Pennsylvanians have a right to earn a decent wage in Pennsylvania.

There are numerous people who rely on minimum-wage income to support their college tuitions. College tuitions in Pennsylvania are among the highest in the country. We are paying a huge economic cost for the fact that in Pennsylvania it takes many students 6, 7, 8 years to pay their way through college.

This amendment guts the bill, as I said before. I urge again a "no" vote on this amendment.

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Pressmann, on the amendment.

Mr. PRESSMANN. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the Gamble amendment.

Mr. Speaker, my friend, the gentleman, Mr. Gamble, knows that we could all get very old and very, very old waiting for the Federal Government to act on anything. It is time for the General Assembly of Pennsylvania to pass a minimum-wage law for Pennsylvanians.

Across this country and particularly in the New England region, which has one of the strongest economies in the United States, they have recognized the need for raising the minimum wage and have done so and have not adversely affected their economy. Mr. Gamble's amendment just slows down and, as Mr. Cohen says, guts the present bill.

Vote "no" on the Gamble amendment.

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

Mr. PITTS. Mr. Speaker, I rise to support this amendment.

This amendment provides a modest increase in the interim. It allows Congress to act. Pennsylvania is not an island. We are impacted as to what happens on our borders, and our business climate, our businessmen, are going to be impacted by this at a competitive disadvantage. This provides some increase but allows Congress to act on a Federal level.

I urge support of this amendment.

The SPEAKER. The Chair recognizes the gentleman from Beaver, Mr. Veon, on the amendment.

Mr. VEON. Thank you, Mr. Speaker.

Mr. Speaker, just briefly and quickly, I do want to remind the members that although Pennsylvania is not an island, neither are the other 10 States that have already passed an increase in the minimum wage. Let me remind the members of Connecticut, Hawaii, Maine, Massachusetts, Minnesota, New Hampshire, Rhode Island, Vermont, and California. Every single one of those States I just mentioned still have an unemployment rate lower than the State of Pennsylvania.

I submit that an increase in the State minimum wage does no damage to business and that Pennsylvania is not an island but we have an obligation to raise the minimum wage. Mr. Speaker, I urge defeat of the Gamble amendment.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Gamble, for the second time on his amendment.

Mr. GAMBLE. Mr. Speaker, to clarify some of the statements, the increase to \$3.60 in January only is in effect until the Congress passes their version of it, and their version presently is 40-cent increments over 3 years. To think that we are going to put pressure on Congress today by passing a bill that is stronger than the one they are considering is ludicrous. There are only 11 States in the entire Nation that have taken it upon themselves to pass an increase in minimum wage.

We were 32d in this Nation in 1986 and we were 32d in this Nation in 1987 on the creation of jobs and an upbeat economy. We are only 18 from the bottom, and if we end up today passing—which most of us will probably end up voting for if nothing else passes—if we end up passing this version which has index tacked on the end, then we are going to slide down a lot further than 32d.

This is an alternative. This is a vote for a minimum wage which will go into effect in 6 months, and it is also a vote to tie it in to the increased-minimum-wage proposal which the Congress is going to be dealing with on June 22.

I will appreciate your vote. Thank you.

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, would the gentleman, Representative Veon, please stand for a brief interrogation?

The SPEAKER. Mr. Veon indicates he will stand for interrogation. You may now proceed, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, would the gentleman advise us the minimum-wage increases of those States that he mentioned that have enacted recent legislation to increase their minimum wage, and then he went on to say why it did not have an impact on their economy. I would like to know what those minimum-wage increases are.

Mr. VEON. Mr. Speaker, I have them for some of the States but not all of the States, and I also understand that some of the figures I have are for the current year and that in the outyears they also escalate similar to Pennsylvania's legislation. I would be glad to give them to you for the States that I have for 1988, if you so desire.

Mr. CLYMER. Would you care to read those figures over the speaker for the membership?

Mr. VEON. Yes, sir, Mr. Speaker. Connecticut, \$4.25 an hour in 1988; Hawaii, \$3.81 an hour in 1988—I do not have it for Maine—Massachusetts, \$3.75 an hour in 1988; Minnesota, \$3.85 an hour in 1988; New Hampshire, \$3.55 an hour in 1988; and Vermont, \$3.65 an hour in 1988. Again, keep in mind that in most of these States they have escalating annual periods, similar to Pennsylvania's legislation.

Mr. CLYMER. Would any of them have escalators that would take them beyond the figures that you just read off?

Mr. VEON. Above and beyond the figures that I gave you?

Mr. CLYMER. Yes.

Mr. VEON. Yes, Mr. Speaker.

Mr. CLYMER. Three of the States would have escalators?

Mr. VEON. That I have knowledge of—Minnesota, New Hampshire, and I have the District of Columbia also—that I have knowledge of, Mr. Speaker, on this list.

Mr. CLYMER. Thank you.

That is the end of the interrogation. Could I make a comment?

The SPEAKER. You certainly may. You have the floor. You may continue.

Mr. CLYMER. Mr. Speaker, apparently there is a discrepancy here because our reports do not indicate that there are escalators by those States, but be it as it may, certainly the thing that the members should consider is that the bill we have before us would raise our minimum wage to \$4.65, which would be the highest of all the States.

Now, let us stay with the amendment. I therefore at this point would ask support of the Gamble amendment. Thank you, Mr. Speaker.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

#### YEAS—89

Argall	Distler	Kenney	Reber
Barley	Dorr	Langtry	Reinard
Battisto	Fargo	Lashinger	Robbins
Birmelin	Farmer	Leh	Rudy
Black	Flick	McClatchy	Ryan
Book	Foster	McVerry	Saurman
Bowley	Fox	Manmiller	Scheetz
Bowser	Gallen	Markosek	Schuler
Brandt	Gamble	Mayernik	Semmel
Bunt	Geist	Merry	Sirianni
Burd	Gladeck	Moehlmann	Smith, B.
Bush	Godshall	Mowery	Smith, S. H.
Carlson	Hagarty	Murphy	Snyder, D. W.
Cessar	Hayes	Nahill	Snyder, G.
Chadwick	Heckler	Noye	Stairs
Clark	Herman	O'Brien	Taylor, E. Z.
Clymer	Hershey	Olasz	Taylor, J.
Cornell	Hess	Perzel	Van Horne
DeVerter	Honaman	Phillips	Vroon
Davies	Jadlowiec	Piccola	Weston
Dempsey	Johnson	Pitts	Wogan
Dieterick	Kennedy	Punt	Wright, J. L.
Dininni			

#### NAYS—102

Acosta	Dombrowski	LaGrotta	Richardson
Angstadt	Donatucci	Lescovitz	Rieger
Arty	Duffy	Letterman	Ritter
Belardi	Durham	Levdansky	Roebuck
Belfanti	Evans	Livengood	Rybak
Billow	Fattah	Lloyd	Saloom
Blaum	Fee	Lucyk	Serafini
Bortner	Freeman	McCall	Seventy
Boyes	Gannon	McHale	Showers
Broujos	George	Maiale	Staback
Burns	Gruitza	Maine	Steighner
Caltagirone	Gruppo	Manderino	Stuban
Cappabianca	Haluska	Melio	Sweet
Carn	Harper	Micozzie	Taylor, F.
Cawley	Hasay	Miller	Tigue
Civera	Hayden	Morris	Trello
Cohen	Howlett	Mrkonic	Veon
Colafella	Hughes	O'Donnell	Wambach
Cole	Hutchinson	Oliver	Wass
Corrigan	Itkin	Petrarca	Wozniak
Cowell	Jarolin	Petrone	Wright, D. R.

Coy	Josephs	Pievsy	Wright, R. C.
DeLuca	Kasunic	Pistella	Yandrisevits
DeWeese	Kitchen	Pressmann	
Daley	Kosinski	Preston	Irvis,
Dawida	Kukovich	Raymond	Speaker

NOT VOTING—4

Fischer	Linton	Michlovic	Wiggins
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EXCUSED—2

Freind	Jackson
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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 as amended?

**CONDOLENCES EXTENDED TO MR. MILLER**

The SPEAKER. Mr. Miller, the Chair expresses the very deep regret of the House of Representatives over the loss of your mother. We are all separately and entirely hurt by the hurt that you must feel right now.

**CONSIDERATION OF SB 613 CONTINUED**

On the question recurring,

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

Mr. BOWSER offered the following amendments No. A3442:

Amend Title, page 1, line 31, by inserting a period after "LAW"

Amend Title, page 1, lines 31 and 32, by striking out "AND PERSONS" in line 31 and all of line 32

Amend Sec. 1, page 2, line 17, by striking out "3(H)" and inserting

3(d) and (h)

Amend Sec. 1, page 2, line 18, by inserting after "1968," amended July 1, 1978 (P.L.735, No.135),

Amend Sec. 1, page 2, by inserting between lines 21 and 22

(d) "Wages" mean compensation due to any employe by reason of his employment, payable in legal tender of the United States or checks on banks convertible into cash on demand at full face value, subject to such deductions, charges or allowances as may be permitted by regulations of the secretary under section 9.

"Wage" paid to any employe includes the reasonable cost, as determined by the secretary, to the employer for furnishing such employe with board, lodging, or other facilities, if such board, lodging, or other facilities are customarily furnished by such employer to his employes: Provided, That the cost of board, lodging, or other facilities shall not be included as a part of the wage paid to any employe to the extent it is excluded therefrom under the terms of a bona fide collective-bargaining agreement applicable to the particular employe: Provided, further, That the secretary is authorized to determine the fair value of such board, lodging, or other facilities for defined classes of employes and in defined areas, based on average cost to the employer or to groups of employers similarly situated, or average value to groups of employes, or other appropriate measures of fair value. Such evaluations, where applicable and pertinent, shall be used in lieu of actual measure of cost in determining the wage paid to any employe.

In determining the hourly wage of a tipped employe, the amount paid such employe by his employer shall be deemed to be

increased on account of tips by an amount determined by the employer, but not by an amount in excess of forty-five percent of the applicable minimum wage rate upon the effective date of this amendment[, until January 1, 1980 and thereafter forty percent of the applicable minimum wage rate]; Provided, That the amount of the increase on account of tips determined by the employer may not exceed the value of tips actually received by the employe. The previous sentence shall not apply with respect to any tipped employe unless:

(1) Such employe has been informed by the employer of the provisions of this subsection;

(2) All tips received by such employe have been retained by the employe and shall not be surrendered to the employer to be used as wages to satisfy the requirement to pay the current hourly minimum rate in effect; where the gratuity is added to the charge made by the establishment, either by the management, or by the customer, the gratuity shall become the property of the employe; except that this subsection shall not be construed to prohibit the pooling of tips among employes who customarily and regularly receive tips.

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Amend Sec. 2 (Sec. 4), page 3, line 20, by striking out "THREE DOLLARS EIGHTY-FIVE CENTS (\$3.85)" and inserting

Three dollars sixty-five cents (\$3.65)

Amend Sec. 2 (Sec. 4), page 3, lines 20 and 21, by striking out "DURING THE YEAR"

Amend Sec. 2 (Sec. 4), page 3, lines 22 through 30; page 4, lines 1 through 5, by striking out all of said lines on said pages and inserting

(a.1) If, before July 1, 1989, the minimum wage set forth in the Fair Labor Standards Act of 1938 (52 Stat. 1060, 29 U.S.C. § 201 et seq.), as amended, is increased above three dollars thirty-five cents (\$3.35) an hour, the minimum wage required under this section shall be increased by the same amounts, effective the same date, as the increases under the Fair Labor Standards Act.

Amend Sec. 3, page 4, line 7, by striking out all of said line

Amend Sec. 4, page 4, line 8, by striking out "4" and inserting

3

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Erie, Mr. Bowser.

Mr. BOWSER. Thank you, Mr. Speaker.

This amendment is similar to the Gamble amendment. We go up to \$3.65, but we alter the tip people, the people who work for tips, and raise them up to 45 percent. This would do the same thing as the Gamble amendment; the Federal law would take over once it is enacted.

This is a way of showing good faith again here - giving a little increase while protecting our jobs in Pennsylvania. I would appreciate support on it.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—89

Argall	Distler	Kennedy	Robbins
Arty	Dorr	Kenney	Rudy
Barley	Fargo	Langtry	Ryan
Birmelin	Farmer	Lashingier	Saloom
Black	Flick	Leh	Saurman
Book	Foster	McClatchy	Scheetz



Bowley	Fox	McVerry	Schuler
Bowser	Gallen	Manmiller	Semmel
Brandt	Gannon	Merry	Serafini
Bunt	Geist	Miller	Showers
Burd	Gladeck	Moehlmann	Sirianni
Bush	Godshall	Mowery	Smith, B.
Carlson	Gruppo	Nahill	Smith, S. H.
Cessar	Hagarty	Noye	Snyder, D. W.
Chadwick	Hayes	O'Brien	Snyder, G.
Civera	Heckler	Perzel	Stairs
Clymer	Herman	Phillips	Taylor, E. Z.
Cornell	Hershey	Piccola	Taylor, J.
DeVerter	Hess	Pitts	Vroon
Davies	Honaman	Punt	Weston
Dempsey	Jadlowiec	Reber	Wogan
Dietterick	Johnson	Reinard	Wright, J. L.
Dininni			

## NAYS—104

Acosta	Donatucci	Levdansky	Raymond
Angstadt	Duffy	Linton	Richardson
Battisto	Durham	Livengood	Rieger
Belardi	Evans	Lloyd	Ritter
Belfanti	Fattah	Lucyk	Roebuck
Billow	Fee	McCall	Rybak
Blaum	Freeman	McHale	Seventy
Bortner	Gamble	Maiale	Staback
Boyes	George	Maine	Steighner
Broujos	Gruitza	Manderino	Suban
Burns	Haluska	Markosek	Sweet
Caltagirone	Harper	Mayernik	Taylor, F.
Cappabianca	Hasay	Melio	Tigue
Carn	Hayden	Michlovic	Trello
Cawley	Howlett	Morris	Van Horne
Clark	Hughes	Mrkonic	Veon
Cohen	Hutchinson	Murphy	Wambach
Colafella	Itkin	O'Donnell	Wass
Cole	Jarolin	Olasz	Wiggins
Corrigan	Josephs	Oliver	Wozniak
Cowell	Kasunic	Petrarca	Wright, D. R.
Coy	Kitchen	Petrone	Wright, R. C.
DeLuca	Kosinski	Pievsky	Yandrissevit
DeWeese	Kukovich	Pistella	
Daley	LaGrotta	Pressmann	Irvis,
Dawida	Lescovitz	Preston	Speaker
Dombrowski	Letterman		

## NOT VOTING—2

Fischer Micozzie

## EXCUSED—2

Freind Jackson

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 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 gentleman from Bucks, Mr. Clymer.

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

Mr. Speaker, I stand in opposition to SB 613, the minimum-wage bill.

It should be noted, as has been mentioned on this floor of the House of Representatives, that the Congress of the United States decided to exclude the escalator provision from their deliberations as they were formulating this piece of legislation, and I think that is important for this House to consider.

This minimum-wage bill, if enacted, would make Pennsylvania the highest of the 50 States, and with it, again, goes the escalator clause, which would keep us in that position. Pennsylvania law would supersede the Federal bill. I think it should also be mentioned that we are not going to intimidate the Federal Congress by passing this law, by forcing them to pass their legislation.

You have heard arguments on this floor of the House saying that other States have passed it and it has not affected their economies as the critics said it would. One of the things—As they compare that, of course, to the Commonwealth of Pennsylvania, we must remember that the economic slump that hit our Commonwealth in 1981, 1982, and 1983 was much more severe. We are on a terrific rebound. Why at this point in time when jobs are becoming plentiful do we want to send the wrong signal to the business community? If you have been looking into your mail, you have noticed the chambers of commerce have opposed this and business corporations. People who do the employing in the private sector have been saying, do not put this burden on our backs, and yet here we are today doing that thing that they have asked us not to do.

Mr. Speaker, there have been arguments intimating that there are many people who work for \$3.35 who are the breadwinners. Mr. Speaker, in southeastern Pennsylvania, as I drive through the territory, I see many signs where the employers are asking minimum wage starting at \$4.50 to \$5 an hour. Now, true, for the semiskilled, for the youth, there may be \$3.35 an hour, but even that has to be considered as a door of opportunity for them to be employed, to have an opportunity to advance themselves within that industry.

Mr. Speaker, finally, I detect a kind of mentality that there is something not right with the business community because they oppose the \$3.35-minimum-wage bill as I do. We sometimes forget that they have all the problems to make a successful enterprise. Many of them want to stay in Pennsylvania. Many of them want to consider coming into Pennsylvania. They have great expertise, and they bring jobs and employment and with that taxes and opportunities for our youth, and yet we seem to have a feeling that we are going to tell them how to run their business and that we are going to pass this minimum-wage bill whether they like it or not.

Mr. Speaker, I respectfully would encourage the members of this House to look at the true facts and the true ramifications of this bill, should it be passed, and would ask that they vote "no." Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Lehigh, Mr. Pressmann, on final passage.

Mr. PRESSMANN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of the bill.

Mr. Speaker, there have been many things said today about this issue and I think that should be mentioned. The gentleman, Mr. Clymer, has mentioned the fact that in his area it would appear that the minimum wage is \$4 or \$4.50 an hour. As he drives down the streets, he sees the signs saying \$4-\$4.50-an-hour starting rate.

Mr. Clymer, I submit that the minimum wage in your district probably is \$4 or \$4.50 an hour. People have said that Pennsylvania should not be an island. Mr. Clymer, your district should not be an island. There are parts of this State of Pennsylvania where the minimum wage is \$3.35 an hour. They have not enjoyed the economic recovery that Bucks County, Delaware County, Montgomery County, and places like that have.

Mr. Speaker, we have many people in this Commonwealth who are totally dependent upon this kind of wage to earn their living, to feed their families, to clothe their families, to shelter their families, and we should not forget them. Mr. Speaker, it has been mentioned today that we are sending a message to the business community when we vote for an increase in minimum wage. How about sending a message to the people in this State who depend on this wage - a message that we care about them and we are concerned about them and we are concerned about their benefit.

Mr. Speaker, there has been mention made about whether or not we should wait for more information. Mr. Speaker, in the year that I have been on the Labor Relations Committee, I have been deluged by tons of information on this issue. In fact, last year during those hearings we held last summer, we had many economists from all over the United States come to testify in front of us about what the effects of the minimum wage would be. And there is an old joke and I think something about economists, something about if you put them end to end, they all point in different directions. Well, that was the result of our hearings. One economist would say, no, it has no effect on the economy. Another one would say it has a good effect on the economy. Another one would say it affects the economy in a bad way. The information is somewhat inconclusive.

In conclusion, Mr. Speaker, I just ask you not to be concerned about the business community but to be concerned about the people of Pennsylvania and vote for this bill. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Northumberland, Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

I also rise in full support of the Pennsylvania Minimum Wage Act.

Mr. Speaker, I, along with many other members on both sides of the aisle, have been here four or five or more terms, and in the 8 years that I have been down here, I have steadfastly supported each and every tax reduction for business and each and every incentive to keep business in Pennsylvania and to generate more Pennsylvania jobs while we were subsidizing business.

Mr. Speaker, we have some programs in this State that will not allow employers to run away. We have the PIDA (Pennsylvania Industrial Development Authority) program; the BID (Business Infrastructure Development) program; the PEDDA (Pennsylvania Energy Development Authority) program; the Customized Job Training Partnership Act, the JTPA program; the Ben Franklin Partnership. We are a model for the country in what we have done, over the past 3 or 4 years at least, to keep Pennsylvania businesses in Pennsylvania. Those that are leaving have left for reasons other than what Pennsylvania Government has been doing. We have done a lot for business.

Furthermore, Mr. Speaker, very few businesses in Pennsylvania pay a minimum wage at the current time. Those businesses that still do are the very ones that take advantage of every single program that the Commonwealth has to offer. On the one hand, they are telling us, keep your nose out of our business, but the other palm is faceup. They are looking for a buck; they are looking for a grant; they are looking for a loan; they are looking for a subsidized salary for a new employer for 50 percent of the first 30 weeks of wages. They cannot have it both ways, Mr. Speaker.

When the minimum wage was first created, the business community— Much of them who are against the bill are not against any of the specifics in this bill. It is just an issue. When the United States Government first created the minimum wage in this country, it was designed to pay workers approximately 50 percent of the average factory wage. We are now well, well below that. People on minimum wage have slipped 50 percent from where they were 8 or 10 years ago in real spending earnings. Even with the escalator that I have heard so much hullabaloo about, even with the escalator and the three increments, Pennsylvania minimum-wage earners will still be well below the poverty line and still well below 50 percent of the average manufacturing wage.

For those reasons and many more that I do not want to bore the membership with, I urge my colleagues to send this bill back to the Senate and ask them to take this issue up and be fair and do what is right. The few manufacturers that do not like it, I hope they quit applying for all the programs and I hope they quit accepting all the tax breaks that we have been giving them over the past 4 or 5 years. Thank you.

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

Mr. COLAFELLA. Mr. Speaker, I find it unbelievable that in the United States of America, which has the highest standard of living in the entire world, we are here debating whether someone should be paid \$3.35 an hour. I think it is time now that we tell the Pennsylvania workers that we respect what they do and they should have a good salary.

You know, if I could take you back many years ago when all of us or most of us went to college, if you worked in the summertime, you could save some money and you could pay your tuition and you could almost pay for your books. In 1988 if a youngster gets a job in the summertime and he saves all the money that he makes, making \$3.35 an hour, he or she

would not even have enough money for spending money during the course of the academic year.

Mr. Speaker, I urge all of you to vote today for SB 613. It is fair, it is right, and we can show a great deal of compassion for the workers of Pennsylvania by voting for SB 613. Thank you very much.

The SPEAKER. The Chair recognizes the lady from Allegheny, Mrs. Langtry.

Mrs. LANGTRY. Thank you, Mr. Speaker.

Mr. Speaker, someone on the other side of the aisle mentioned that they had read the testimony of the economists on this issue. We all know that there are economists always on both sides of the aisle, but what is important and my question is—forget the economists—did the committee really hear or read the testimony of the small businessmen that appeared before them? I read that testimony. I read the testimony of the florist that appeared before you, the small manufacturer, the gasoline station operator, and they all told us—they are small businessmen; these are the people who provide 80 percent of the jobs in Pennsylvania—they told us what that minimum-wage increase is going to do to their business.

It is very popular to stand here and bash big business. The increase probably will not hurt big business, but it is truly going to hurt the small businessmen that we all say we champion here on the floor of the House.

Additionally, Mr. Speaker, I heard today that approximately 11 States have passed an increase in the minimum wage, and my question follows: What about the 39 or 40 States that did not pass it? Why have they not passed it? I think they have not passed it because they are waiting for this bill to pass at the Federal level so all States will be in a uniform position and able to compete on an equal playing field.

Mr. Speaker, I oppose passage not because I do not want people to have a better income. It is going to hurt Pennsylvania. It is going to hurt our small business people. They told us so over and over again. I oppose the bill for that reason only. I suggest that we wait for the bill to be passed at the Federal level. Thank you, Mr. Speaker.

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

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

Mr. Speaker, I rise to support SB 613, and I do so for a number of reasons.

Mr. Speaker, it always amazes me to hear the members on the floor of this House talk when it comes to an issue of philosophy and social change, but it is very clear to me today that you cannot have it both ways. It seems to me that it is one of philosophy of those who advocate the need for change, and advocating a raise in the minimum wage from \$3.35 up is a clear indication that they understand what is happening within the community. The community that I represent, I represent the locked-out and the left-out and the downtrodden and those who do not have anyone to defend themselves. I want to commend the Labor Relations Committee and Representative Mark Cohen and the other members of their com-

mittee who have worked very diligently on this matter, because I think that a lot of times people in this Commonwealth do not think that we as elected officials do anything, and when it comes down to people who do positive actions, particularly as it relates to this issue, I think they need to be commended.

Secondly, I want to speak directly to the fact that we talk about welfare and welfare reform and true welfare reform and how we deal with those issues that impact on people who are dealing with a dependent system. We say that we do not want people to be on welfare, and many people on welfare do not want to be on welfare, but certainly a minimum wage of \$3.35 is not going to get them off the welfare rolls. In fact, increasing the minimum wage to a higher degree, which will allow people to go to work, be able to pay for their bills, be able to pay for their mortgage, be able to pay for some of their day care, and be able to provide a quality of life for their children, is much better than feeling that we should deny them a right of a minimum wage. If we are astute in our thinking and we are clearly trying to analyze how we deal with this problem, then it would seem to me that we would want to all be in favor of SB 613 today.

Then finally, Mr. Speaker, it seems to me that when I hear people talk about the small businessman, I do not know of any small business person - gasoline station, florist, or others - who will move their business out of the city or out of the State of Pennsylvania because they have to increase the minimum wage for their workers to \$3.85 an hour. I do not know of any that will leave. Maybe there are some other persons in here that feel that they have a handle on knowing that these businesses will automatically get up and leave the State of Pennsylvania. I do not believe that. I believe that it is very clear that business wants to continue to boom in our Commonwealth. The economy can continue to flourish, but we also have to make sure that we help those individuals who do not have anybody who is out there fighting for them.

Today I think that it is the right move to support SB 613 and move the minimum wage to a kind of level that will give people some respectability. We always talk about how individual people do not deal in reality, and we go out and we hammer ourselves over the heads and we say we should do more. This Commonwealth came up with a cliché that said that we in fact should do more with less, and the more people did with less, the worse off they got, and now is the time to increase the minimum wage so they can do more and get more.

I support SB 613, and I ask our members to do the same.

The SPEAKER. The Chair recognizes the gentleman from Northampton, Mr. Freeman.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of SB 613.

The gentleman, Mr. Clymer, said that by passing this legislation, we send a bad signal to business. Well, we have sent plenty of good signals to business in this Commonwealth. As a legislature, we have passed some of the most comprehensive and ambitious programs to aid business here in our State - the

PERF (Pennsylvania Economic Revitalization Fund) package, which provides for a host of grants and loans and programs to assist business and industry. We have repeatedly cut the corporate net income tax in this State to produce a better tax climate for corporations. We have established the Sunny Day Fund to attract new businesses and industry. Time and time again we have come to the aid of business, and rightfully so, but now it is time that we as a legislature step up and do something for the average citizen of this Commonwealth. It is time that the business community of this Commonwealth do something for the average citizen, and that is pay a decent wage for a decent day's work.

Let us not kid ourselves. There are more and more people who are dependent upon the minimum wage for their wages, for their source of income, for their family's source of income, to provide the basic necessities of life to themselves and to their children, and the current minimum wage is woefully inadequate. An individual earning \$3.35 an hour and working 40 hours a week makes a gross income of \$134 a week, \$134 a week; that is before taxes. Who among us could support their family and provide for the basic necessities of life on \$134 a week?

Mr. Speaker, it is time to restore fairness to the wage structure here in Pennsylvania, it is time to provide economic opportunity for the underclass of our society, and it is time to enact a fair and decent wage, which we have before us in SB 613.

I ask my colleagues to support the passage of SB 613.

The SPEAKER. The Chair recognizes the gentleman from Mercer, Mr. Fargo.

Mr. FARGO. Thank you, Mr. Speaker.

I am kind of surprised, and yes, I guess maybe I am not really surprised, at what I am hearing here this afternoon. It sounds to me like we are saying to businesses, you have to pay your share now; we have been giving you all kinds of breaks over the years; now it is up to you to come up with your share. Those breaks, incidentally, that we gave them - the reduction in taxes and so forth - were really for a purpose, and that purpose was to try to get more jobs out there, and it is working. Take a look at Pennsylvania. You will find that in Pennsylvania we have more jobs finally, and a lot of it is because of what we have done here, the good things that we have done for businesses.

If you look at the statistics as far as minimum wage is concerned, you will find that in 1981 there were 7.8 million people getting minimum wage. In 1987 there were 4.7 million. That is one-half as many in 1987. And why is that? Because as business gets better in Pennsylvania, they start paying more wages, they start paying higher wages, and that is really what is happening at this particular time.

We should not be bashing business; we should be trying to help business do a better job in doing what we want them to do, and that is to employ more people. But no, what are we going to do? We are going to say to those that are in the lower scale and are still paying that minimum wage that you are going to have to pay more. And where does that come from?

It does not come from those businesses. It comes from two sources: They either have to raise the price of what they are selling, which makes them less competitive—and if they cannot compete, they are not going to have any jobs out there and we are going to have less jobs for the people of Pennsylvania instead of more—or they are going to have to somehow reduce their costs, and whenever they reduce their costs, the first thing they are going to do is to reduce the number of employees that they have. So what are we doing? We are working against ourselves. We are making it so that jobs are not going to be there for this particular classification of jobs, either because they are forced to eliminate some of those jobs or because by forcing them into an uncompetitive position, they are going to be going out of business anyway. So if you want to stick it to business, just go right ahead; enjoy yourself. But remember that it is not business that you are sticking it to; it is the employees that are out there badly, badly in need of jobs, and the businesses are producing those jobs for them.

There was some comment about the fact that these young people are working to pay for an education that is extremely more expensive than it has been in the past, and I certainly agree with that. But once more I want to tell you, there are going to be less jobs for those people, and instead of earning a minimum wage or slightly above a minimum wage, they are not going to be earning anything, and mom and dad are going to have to find another way to send them for their higher education.

I noted and Representative Langtry noted the fact that when we say there are 11 States that have done this, that leaves 38 States out there that have not increased the minimum wage and are waiting for the Federal Government to do so. I might also add that as you look at the States that have increased their minimum wage, you do not find any of them around Pennsylvania. You do not find Ohio or West Virginia or New Jersey, those States that we and our businesses are going to have to compete with directly. We are actually jumping the gun, telling the Federal Government we are going to go ahead and do this ahead of you because that is going to force you to do it. It is not going to do that. It is only going to work to the detriment of the people in Pennsylvania.

I really advocate strongly that you do not vote for this bill today. Thank you.

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

Mr. HUGHES. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of SB 613 and for two succinct reasons.

First of all, the people of the Commonwealth of Pennsylvania can no longer wait on the Federal Government to handle this responsibility. The Federal Government has abdicated its responsibility over the last 8 years, and we can no longer wait for them to take action.

Secondly, very simply, Mr. Speaker, we have heard a lot of comment in committee and outside of committee, through personal correspondence, through conversation. A lot of numbers have been passed along, Mr. Speaker, about the

effects of the increase in the minimum wage, but I stick to some very simple numbers. I stick to \$3.35 an hour, Mr. Speaker, is equivalent to \$26.80 a day; it is equivalent to \$134 a week; it is equivalent to \$581.67 a month; and it is also equivalent to \$6,968 a year, Mr. Speaker. For a family of five or for a family of one, that may be a minimum wage but it is not a livable wage.

Mr. Speaker, I urge my colleagues to support SB 613.

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

Mr. VROON. Thank you, Mr. Speaker.

To quote a good many of our members here, I will start out by saying "very briefly," Mr. Speaker. This is a matter of simple elementary economics. There are only a few things that happen here. You raise the minimum wage, and small businesses may or may not be able to pay it. If they do not pay the minimum wage, then somebody loses their job, and this will be multiplied several hundreds and thousands of times throughout the Commonwealth - small businesses unable to pay the price for what that work is worth. This is absolutely absurd.

Now, if business does absorb it— I mean to say, if they can afford to pay the minimum wage, who do you suppose is going to pay for that? This is going to be on the consumer. We were talking about the taxpayer before, Mr. Speaker, having to pay for savings to business. No, it was not savings to business; savings to the consumer, because the consumer pays it all. The business does not absorb this cost. It is absolutely ridiculous to think that you are going to favor poor people and that business is going to absorb the cost. No, you are not socking it to business; you are socking it to the whole Commonwealth consumer structure.

Now, let us be very frank and go a step further and see how inflationary this is. When you raise the bottom level of a wage structure, you have to automatically raise every other level above that. This is not a case of just raising the bottom level. It raises everything, so every wage has to be increased if the minimum wage is increased. And what does that do to the cost of your product, and what does that do to inflation? That is the essence of this whole thing. It is a matter of simple economics. I think it is absolutely absurd that we should raise the minimum wage and sock it to our consumer - nobody else but our consumer.

Mr. Speaker, I oppose this.

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

Mr. WOZNIAK. Thank you, Mr. Speaker.

I rise to support SB 613 to raise the minimum wage.

Year after year I see the reports from our retailers, our supermarkets, our giant department store chains. Each and every year the increases that they have in their net profit are expanding.

I have heard that many people on the far right of this chamber have spoken and said, I do not have any problem with the minimum wage, but it should be a Federal responsibility, and I do believe it should be raised. I think, quite

frankly, that the time has come. If the Federal Government is not interested in raising the standard of living, even by a minuscule percent, then the States must do it.

We talk about the economic condition of the local small businessmen. Talk about the cost to government. Representative Belfanti brought up earlier about all the programs the State has implemented over the years to help our industries; to help our small businessmen to locate, expand, and stay in Pennsylvania. By raising the minimum wage, we will be able to get people off food stamps - a white-collar welfare program simply because business is not paying its fair share to the working people that are creating the goods - get them off the medical assistance cards, and a myriad of other programs set up by the taxpayers who are also the consumers of Pennsylvania who are paying for subsidizing the minimum-wage workers of Pennsylvania.

Mr. Speaker, I think at this moment in time, let us send a message to Washington, to our people of Pennsylvania, and also to the business community. In the years that I have been growing up and have been working, I have seen the minimum wage raised a number of times. Not once have I seen a business go under, not once have I seen an outflux of businesses from Pennsylvania, and I think that the situation is not going to occur that has been brought up by many people today.

Mr. Speaker, I appreciate and implore your vote for raising the minimum wage for the poor people of Pennsylvania. Thank you very much.

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

Mr. COHEN. I have nothing further to say, Mr. Speaker.

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

Mrs. HARPER. Thank you, Mr. Speaker.

I will be very brief. I would just like to say it is time to raise the minimum wages for poor people in the State of Pennsylvania. To me this bill should not be debatable. All of us should be willing to raise wages for poor people. With the cost of living today, we should be ashamed, ashamed not to vote to raise wages for our poor working people. I have been a small businesswoman for 25 years, and I would not think of asking my employees to work for less than \$3.50 an hour. It is a disgrace really not to think of raising the minimum wage with the cost of living today. We must raise the wages. Thank you very much.

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—116

Acosta	Fattah	Lucyk	Roebuck
Arty	Fee	McCall	Rudy
Battisto	Freeman	McHale	Rybak
Belardi	Gamble	Maiale	Saloom
Belfanti	Gannon	Maine	Serafini
Billow	George	Manderino	Seventy
Blaum	Gruitza	Markosek	Showers
Bortner	Gruppo	Mayernik	Staback
Broujos	Haluska	Melio	Steighner
Burns	Harper	Michlovic	Stuban

Caltagirone	Hasay	Micozzie	Sweet
Cappabianca	Hayden	Miller	Taylor, F.
Carn	Howlett	Morris	Taylor, J.
Cawley	Hughes	Mrkonic	Tigue
Civera	Hutchinson	O'Brien	Trello
Clark	Itkin	O'Donnell	Van Horne
Cohen	Jarolin	Olasz	Veon
Colafella	Josephs	Oliver	Wambach
Corrigan	Kasunic	Petrarca	Wass
Cowell	Kenney	Petrone	Weston
Coy	Kitchen	Pievsky	Wiggins
DeLuca	Kosinski	Pistella	Wogan
DeWeese	Kukovich	Pressmann	Wozniak
Daley	LaGrotta	Preston	Wright, D. R.
Dawida	Lescovitz	Punt	Wright, R. C.
Dombrowski	Letterman	Raymond	Yandrisevits
Donatucci	Levdansky	Richardson	
Duffy	Linton	Rieger	Irvis,
Durham	Livingood	Ritter	Speaker
Evans	Lloyd		

NAYS—76

Angstadt	Davies	Hershey	Phillips
Argall	Dempsey	Hess	Piccola
Barley	Dietterick	Honaman	Pitts
Birmelin	Dininni	Jadlowiec	Reber
Black	Distler	Johnson	Reinard
Book	Dorr	Kennedy	Robbins
Bowley	Fargo	Langtry	Ryan
Bowser	Farmer	Lashingier	Saurman
Boyes	Fischer	Leh	Scheetz
Brandt	Flick	McClatchy	Schuler
Bunt	Foster	McVerry	Semmel
Burd	Gallen	Manmiller	Sirianni
Bush	Geist	Merry	Smith, B.
Carlson	Gladeck	Moehlmann	Smith, S. H.
Cessar	Godshall	Mowery	Snyder, D. W.
Chadwick	Hagarty	Murphy	Snyder, G.
Clymer	Hayes	Nahill	Stairs
Cornell	Heckler	Noye	Taylor, E. Z.
DeVerter	Herman	Perzel	Vroon

NOT VOTING—3

Cole	Fox	Wright, J. L.
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The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the bill passed finally.

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

**CONSIDERATION OF HB 854 CONTINUED**

The SPEAKER. Turn to page 19. On page 19, HB 854, the Chair accepted the objection of Mr. Piccola, who said he wanted the bill called up.

Bills on concurrence in Senate amendments, HB 854. Extracts from the Journal of the Senate, which the clerk will read.

The following Senate message was read:

The clerk of the Senate, being introduced, returned the following **HB 854, PN 3324**, with information that the Senate has passed the same with amendment in which the concurrence of the House of Representatives is requested:

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, placing certain limitations on insurance premium increases; further providing exemptions for the use of certain sun screening materials; providing for the imposition of surcharges on persons convicted of driving under influence of alcohol or controlled substance and for the deposit of the surcharges into the Catastrophic Loss Trust Fund; repealing certain provisions relating to the Catastrophic Loss Trust Fund; mandating the offering of certain insurance coverage; further regulating compulsory judicial arbitration; and making a repeal.

On the question,

Will the House concur in Senate amendments?

The SPEAKER. On that question, the Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, on the question of concurrence in Senate amendments, I move that the House vote in the negative, to nonconcur.

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

Mr. PICCOLA. Mr. Speaker, I would respectfully urge that the House reject the majority leader's motion and vote in the affirmative to concur in Senate amendments.

First and foremost, this bill, if we concur today, we can send it to the Governor to kill the CAT Fund (Catastrophic Loss Trust Fund) as of today. That, I think, is extremely important, and it is important that we do that before the summer recess, because while the Catastrophic Loss Trust Fund Board continued the \$8 fee until February of next year, the \$24 fee will start to be billed to some of our motorist constituents come November 1, and I doubt seriously whether we are going to be able to deal with this issue in any substantial way in the manner that the majority leader would suggest before the election recess this fall.

This bill also provides that the motorists can on a voluntary basis purchase the CAT Fund benefits from a private insurer if they wish. It is a mandatory offering by those companies.

Further, the bill would provide that the Insurance Commissioner advise the legislature by next year how we should go about paying off the unfunded liability. All we do by procrastinating on this issue, Mr. Speaker, is to continue to build that unfunded liability, and to delay it any further, in my view, would be irresponsible.

I therefore urge that we end this CAT Fund issue once and for all. Vote "yes" today, get the bill to the Governor so that we can get rid of this monkey and get it off of our backs. Thank you, Mr. Speaker.

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

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, I would urge the House to vote against the bill and to vote to send the bill to a conference committee.

The gentleman, Mr. Piccola, said that if we pass this bill today, it will abolish the CAT Fund immediately. That is not what this bill says. What this bill says is that 90 days after the Governor signs it or the Governor's veto is overridden, the CAT Fund will be abolished. That means that as soon as your consumers and constituents hear that the CAT Fund bill has

passed, they are going to stop paying their bill, but in fact they are going to be liable for that bill and they will not legally have their car registration renewed for 90 days after this legislation becomes law.

Secondly, 1 month ago approximately the House dealt with this same piece of legislation from the Senate before, and the House at that time insisted that we ought to go to a conference committee to try to resolve the differences between the House and the Senate. The House promptly appointed conferees - two from the Democratic side, one from the Republican side. To this date the Senate refuses to appoint conferees. Now, the problem is that the bill with which we dealt before is a Senate bill and therefore the moving force to call a meeting of the committee of conference is up to the Senate. If we nonconcur in this bill today, because it is a House bill, the decision as to when the conference committee will meet will be up to the House conferees and we can begin to call committees of conference immediately, and that is what, based on my conversations with the majority leader, I would anticipate will happen.

In addition, it is important for people to bear in mind some of the other problems with this bill as it came from the Senate. We had been fighting to try to do something about uninsured motorists, and both Mr. Fox and Mrs. Weston had been pressing amendments to do that. The Senate has not included those amendments in the bill.

In addition, Mr. Speaker, we have been trying to provide a replacement policy which will not cost the motorists so much money. We have proposed a couple things as part of a plan: one, that we pool the risk, because what we have is a situation in which many insurance companies, even if they use reinsurance, will not be able to pay all of the claims if they get hit with two or three catastrophic loss claims. Right now in Pennsylvania we have a record number of insurance insolvencies, many of which were covered by reinsurance which did not perform adequately. We have a guarantee fund which says that if your insurance company cannot pay the benefit, the maximum you get is \$300,000. That means that if we vote for this bill in its current form and somebody gets hurt and has a catastrophic problem that could cost \$1 million and his company cannot pay, all he can be guaranteed is \$300,000.

Furthermore, we envision a plan which requires the insurance companies to discount their loss reserves, because what they will do under this bill as it is currently structured is to put aside money now on the assumption that they owe the money the next day when in fact after the first 18 months the maximum payment is \$50,000 a year and the total payment over an individual's lifetime is \$1 million. They will then be earning income on that money.

This system that Mr. Piccola is urging upon us is really similar to workers' compensation, and under workers' compensation they are required, the insurance companies are required, to discount the loss reserves, and even if you do not want to pool, there is no reason not to require them to do that here.

In addition, Mr. Speaker, under current law the CAT Fund is not subject to the insurance premium tax. Under this bill the

replacement coverage would be, and that will cost more money.

Mr. Speaker, we have at least a couple weeks to try to work out a solution to this problem. *If the Senate has a better idea in order to hold down the cost, let them come to the conference table and let us discuss it. Right now they have done nothing but give us the insurance industry's position on this, and there is no question that the insurance industry's bill will cost more than any of the alternatives that the House has voted for in the past.*

For all of those reasons and in order to try to get this resolved in a way that for those people who want to buy coverage it costs them only a reasonable amount, we ought to vote "no" today and go to conference. Thank you, Mr. Speaker.

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

Mr. FOSTER. Thank you, Mr. Speaker.

Back in the days when horses and carriages were the mode of travel and automobiles were still the minority and were not very popular, there was some town somewhere that adopted an ordinance as to what should happen when two automobiles should come to an intersection, and that ordinance read that if two horseless carriages shall approach the same intersection, both shall stop and neither shall start until the other has departed, and that is just exactly how this House is working with respect to auto insurance and the CAT Fund.

Now, I have stood at this microphone on two occasions and offered comprehensive overall reform, and I was told, no, that we cannot do that now; we do not have the time to take that up. And then on another occasion when someone gets up such as now to abolish the CAT Fund, they said, oh, no, we cannot abolish the CAT Fund until we have something in its place.

Mr. Speaker, the public has spoken. The CAT Fund is finished. It is we who have not got the message in here yet. The CAT Fund is finished one way or another, and we had better wake up and realize it.

Now, I have been on talk shows down in York about every 6 weeks. Each time I go on I think we are going to discuss maybe budget, school subsidy, tax reform, or some of the other issues. What do you think all the questions are? All of the questions are on the CAT Fund, and I daresay my other colleagues have had the same experience.

Now, let us face it, the public has spoken on this and the issue has been decided in the minds of the public. We are the ones who are indecisive. Let us abolish the CAT Fund today and then let the House Insurance Committee report out either the Governor's program, let them report out George Saurman's bill, let them report out one of a number of proposals that we have and let us get down to work, but for now, let us abolish the CAT Fund and let us do it today.

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

Mr. BOWSER. Thank you, Mr. Speaker.

I do not want to drag this issue out too long, but I do not think we have ever had a clearer mandate since I have been around here than to get rid of the CAT Fund.

Mr. Lloyd says we would have 90 days of confusion. I will take that 90 days of confusion to what I am taking the last several months. People say, get rid of it, get rid of it, get rid of it. They can buy this coverage. I am telling people at home if they have any equity that amounts to anything, you had better get that coverage, and they will. They will buy it if they want it.

Let us give them that choice. Let us get rid of this thing today once and for all. Thank you.

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

Mr. GALLEN. Mr. Speaker, I think that I am about to join the STA, which, of course, stands for Slow Talkers of America. Mr. Speaker, I would like to get a little order in the House, please.

The SPEAKER. So would the Speaker.

Quiet down.

Mr. GALLEN. Mr. Speaker, I think the question that the public of Pennsylvania is asking is, do we want to get rid of the CAT Fund or do we not? Why do not you people in Harrisburg stop playing the game? And that is exactly what we are doing.

Mr. Lloyd has tried to muddy the waters for months with some crazy scheme. What the people want is to get rid of the CAT Fund and let us stop playing the game. This is an opportunity to send that repeal to the Governor. I think it is about time that we listen to what the people are saying and send this repealer to the Governor. Thank you, Mr. Speaker.

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

Mr. GANNON. Thank you, Mr. Speaker.

Mr. Speaker, this is an opportunity to eliminate the CAT Fund, and I think many of us have voted to do that several times, but here is an opportunity maybe to make a final vote on this and send it to the Governor's desk.

Representative Lloyd has this notion that he wants the State to stay in the insurance business and he therefore feels that we should go the other way. However, this bill also contains something else that I think is very important and that the members should address.

I know many of you, like myself, have had individuals come into your office who have had an increase in their insurance premium simply because they failed to pay a parking ticket, and as a result of their failure to pay that parking ticket, their license was suspended and that suspension has gone on record up here in Harrisburg. Even though they have paid that ticket and they have satisfied the fine and it was not a moving violation and it did not involve anything dangerous or hazardous - it was simply maybe an overtime at a meter - they now have gotten a notice from their insurance company that their premium is going to be increased. There is a provision in this bill that specifically prohibits the insurance companies from increasing their insurance rates because of a sus-

pension as a result of something like that, because of a suspension for a failure to respond.

I think that is most important, Mr. Speaker. I see several individuals in the course of a year and sometimes more than that, in the course of a month, who have come in upset and feeling that an added insult has been placed upon them, and there is really nothing that we can do. Here is an opportunity to do something about that problem.

This issue was brought up before the Insurance Committee last week. We had a great deal of discussion on it. That bill still lies in committee, but here is a chance to do something on the floor, to act on this, to get it to the Governor's desk and get it signed into law and get that serious problem out of the way where these people are being unfairly surcharged on their insurance premium because they simply failed to pay a parking ticket, which may not even have been on their car when they went back to it to drive away; they may not even have been aware of it and yet their insurance premiums are going up for a stupid reason like that. Here is a chance to redress that problem, Mr. Speaker.

I would urge a "yes" vote on this bill for that reason and also the opportunity that is presented here to eliminate the CAT Fund, put something reasonable in its place. Of course, the Insurance Committee certainly can go back and take a look at Mr. Lloyd's proposal and address it on its merits and not get it tangled up in this issue. Let us get rid of the CAT Fund, let us take care of that other serious problem involving insurance rates, let us concur in the amendments the Senate has sent over to us, and let us get this bill to the Governor's desk.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, by hearing some of the speakers who oppose the nonconcurrency that I have suggested, you would think that we are talking about two different things.

The CAT Fund the way we all know it is catastrophic loss coverage in automobile accident cases, catastrophic loss coverage that is a mandatory coverage that every Pennsylvanian must have. That is what the CAT Fund is. Nobody disagrees, at least in the bills that have gone from the House to the Senate, in this bill, in the Senate bill that the House has already added its conferees to, nobody agrees that there will not be mandatory coverage from here on. That is not what we are arguing about. And both bills - the Senate bill and this bill - both recognize that there ought to be voluntary coverage. Amendments have emanated from your side of the aisle that indicated that that voluntary coverage should be provided by every company.

Now, what we are fighting about is, what is that voluntary coverage going to look like? We have already indicated that mandatory coverage is out; both bills have said that, all of the bills have said that. Now let us talk about the voluntary coverage.

The bill that is before us favors the consumers of Pennsylvania; it talks about spreading the risk and pooling. The bill that we sent to the Senate—I misspoke—talks about volun-



tary coverage; it talks about voluntary coverage that causes a pooling to take place; it talks about a voluntary coverage that people will pay premiums at the same rate across Pennsylvania; it will be a coverage that is available.

This version of the bill that we ask you to nonconcur in is a version of the bill that says insurance companies can charge whatever they want; the premium can be different by varying amounts, large amounts; there will be no pooling. Mr. Lloyd in his explanation indicated that there are valid reasons to support the kind of bill that we sent to the Senate. The consumer, he says, will be benefited by the pooling device; small companies will be benefited by the pooling device. We ought to at least sit down and try to resolve the differences with those who want this kind of a bill that is before us now, and we have appointed conferees to a bill that will help resolve those differences. House Republicans have appointed their conferee, but it happens to be a Senate bill, and the Senate refuses to appoint conferees. The Senate Republicans have not, will not appoint their conferees. Senate Democrats have appointed their conferee.

This is a pure attempt to shove down our throat the insurance companies' line on this bill, and that is the bigger insurance companies, because the smaller insurance companies certainly know the value of pooling, when the loss can be so great and the number of cases so small that just a few of those large numbered cases can wipe some of our companies out.

Mr. Speaker, we are asking for an opportunity to go to conference, to make those arguments with the Senate leaders, and to resolve the issue. I think it can be resolved, and I think it will be resolved, because if we nonconcur, the House conferees will suggest to the Senate that a meeting is going to be held of the conference committee on such and such a date; please appoint your conferees and have them there. And if they do not appoint the conferees and if the conferees are not there—and that may well happen—they will have to answer to the public that is out there saying, what kind of nonsense is this that you will not sit down and try to resolve the differences, and we will call a meeting every day until they do send their conferees, and the matter will be resolved.

Mr. Speaker, I am asking you to give us the opportunity to resolve this matter in favor of the consumers of Pennsylvania and vote for nonconcurrency. Vote in the negative.

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

Mr. BORTNER. Thank you, Mr. Speaker.

As has been stated by many speakers, the question before the House is not whether we have a CAT Fund. The CAT Fund as we have known it is dead for all intents and purposes. However, there are a number of important remaining issues that are still before the House.

As has been stated before, the public has spoken on this issue. Every member of this House has been recorded on this issue. That vote was taken several weeks ago. As a result of that vote, when the Senate voted to nonconcur, the Republican Caucus and the Democratic Caucus in the House of Representatives appointed their conferees. Mr. Lloyd and I were

appointed, and Mr. DeVerter was appointed. That conference committee has never met. It has never met because the Senate conferees have never been appointed and it has never had an opportunity to take up these issues.

Although the Catastrophic Loss Trust Fund as we have known it is finished and we all know that, important issues remain. The question of uninsured motorists, which has been very important to all of us but in particular to our colleagues from Philadelphia, has not been addressed in the Senate bill. The question of how catastrophic coverage is going to be provided in the future has not been covered in the Senate bill. These issues can best be addressed through the conference committee process.

I would urge all House members to vote today to nonconcur in this bill. We will then have control of the conference committee process. We can appoint our conferees. We can require the Senate to sit down and discuss this issue in a very responsible and a very calm effort, which is the way this issue ought to be resolved.

I would urge all members to vote to nonconcur.

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

Mr. DeVERTER. Thank you, Mr. Speaker.

Mr. Speaker, if I could for just a moment, I know the members would be sorely disappointed if I did not speak on this issue, but I think one thing ought to be made clear, and if you hear nothing else today, I hope you hear this.

I do not know how many of you have read some of the reports from the CAT Fund Board and from their actuaries, but from this day forward, and from a few previously, this fund, by virtue of what we are doing, continues to accumulate—accumulate—an unfunded liability of \$300,000 a day.

Now, you can delay the abolishment all you want, but that unfunded liability, Mr. Speaker, is not going to go away. I daresay, if we wait until the beginning of next year, and according to the actuarial studies by February 1, that unfunded liability will amount to 330 millions of dollars. Those are not my figures, Mr. Speaker; those come from the people that have been administering the CAT Fund as we know it today.

Now, you can do what you will, but I think we ought to get down to resolving this entire issue. This body can be one of the biggest bunch of procrastinators this world has ever seen. On the other hand, it can also be one of the most activist groups that I know of. It would seem to me, and it does not affect me—well, it is soon going to as a consumer unrelated to this body anymore—but it would seem to me that in an election year you would surely want to remove this as an issue. It ought not to be an issue. This is a pocketbook issue for the people of this Commonwealth and they are sick of it. If you have watched any of the recent editorials and newsclippings coming out of New Jersey and several other States, including California—they are going to have referendums on the insurance plans out there come fall—you ought to be thinking seriously about what we can do.

You know, each and every month that passes, your consumers continue to pay a higher and higher premium. I guess what I am doing is I am pleading on behalf of those folks out there that are finding it very difficult to retain the premiums, the policies that they now have, and all you are doing is adding to their burden, and I unfortunately have to say I believe the Governor has by asking the CAT Fund Board not to increase the CAT Fund fee until next year, if ever. But the unfunded liability remains.

I would like to take issue with one comment that Mr. Manderino made, and that deals with the small mutuals. Not too long ago most of us—I think all of us—received an indication from those mutual companies—sorry, Fred, this is my time; you have always had yours—that indicated that a pooling mechanism will not be cost effective for them. As a matter of fact, it will be costing them rather than cost effective.

Now, as I indicated, let us get this thing out of the way once and for all; then let us sit down and draft a plan of auto insurance in this State that has meaning, that has protection for the people out there, and let us stop fooling around in the game of politics. Thank you, Mr. Speaker.

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

Mr. COWELL. Thank you, Mr. Speaker.

Mr. Speaker, it should be absolutely clear to anybody who observes the debate and the action of this House that practically every member of this House of Representatives intends to do away with the CAT Fund. The majority intends to do away with it in a responsible way so that we do not leave automobile operators in Pennsylvania, the motorists of Pennsylvania, holding the bag, so that we do not leave them without options to purchase insurance, to purchase protection, if that is their desire to do so on an optional basis.

It seems like it has been only a few short weeks—and in fact, it is only a few short weeks—since this same debate occurred in this same chamber, and some of the same people who a few weeks ago tried to paint certain members of this House of Representatives as advocates of the CAT Fund are making the same argument today, because several weeks ago a majority in this chamber decided not to cave in to the wishes of the Senate and to automatically embrace whatever the Senate happened to send us. And we did the responsible thing; we said, let us send it to a conference committee and let us have a better version emerge. The Senate unfortunately has chosen not to appoint their conferees—the Republican Senators have chosen not to appoint their conferees—and instead they seem to have taken the tact of relying on allies in this chamber, certain allies in this chamber who would have us revisit the issue again today and again argue, let us cave in to the Senate; let us rubberstamp what they have sent us.

The responsible thing is again to reject what the Senate has sent us and to insist on a responsible version, a more responsible version that the majority of this House previously passed. Certainly we are going to do away with the CAT Fund, and the best way that we can do that and to do it expeditiously is

to send this bill again to a conference committee and to make it clear to the Senate that we are not going to just cave in, even if a few of their allies insist that we ought to cave in today or tomorrow or last week, and make it clear to the Senate that they are going to have to negotiate a better version, one that does indeed do away with the CAT Fund but one that also protects the motorists of this Commonwealth.

A question was pointed out or a point was made about the growing unfunded liability of the CAT Fund, and it was suggested that if we do not act today, the unfunded liability will continue to grow at a rate of \$300,000 a day. If we do not act today, the same thing is going to happen as if we passed the bill today, because this bill does not immediately eliminate the CAT Fund. It provides for the elimination of the CAT Fund some 90 days down the road. So if we pass this version that the Senate has sent us, we further assure that the unfunded liability will grow by some \$27 or \$30 million. We are not going to avoid that issue by passing this bill today, because it does not provide for immediate elimination.

The most expeditious thing that we can do to get this issue back on track is to make the Senate recognize that they are going to have to negotiate, that we are not going to cave in, that there are legitimate issues beyond the question of doing away with the CAT Fund that still remain to be resolved, and the most responsible way and expeditious way of resolving those issues is to send this bill to the conference committee, and we can do that by nonconcurring at this moment. Thank you, Mr. Speaker.

The SPEAKER. For the second time on the question, the Chair recognizes the gentleman from Somerset, Mr. Lloyd.

Mr. LLOYD. Mr. Speaker, a number of interesting arguments have been made today with regard to muddying the water. I would just like to set the record straight. Back 4 or 5 years ago when we created the current insurance law and the CAT Fund was created, I did not vote to put the State in the insurance business; I voted against that bill.

Furthermore, notwithstanding what has been said about keeping the State in the insurance business, the House plan calls for a pool run by the insurance companies, the details of which were proposed by the insurance companies subject to the approval of the Insurance Commissioner. We are not talking about State employees; we are talking about private-sector employees employed by the insurance companies.

It has also been suggested that we need to be worried because the bills for \$24, some of those might go out before the election. We know something else that is going to go out before the election if we do what Mr. Piccola wants to do today, and that is, those of your constituents—and statewide polls indicate that probably there are at least 38 percent, maybe more, who want some kind of catastrophic coverage—are going to get their bills for the replacement coverage before the election, and they are going to discover that they are not paying \$8; they are not paying \$24; they are paying \$60 or \$70 or \$80. So I suspect that there are going to be some people who are not going to be very happy about that.

It has also been suggested that, you know, the House is somehow playing games. Well, let us look at that.

When the Senate dealt with this issue, it sent us a three-line bill which abolished the CAT Fund and put nothing in its place. The House acted responsibly, and whether you agreed with the plan that we proposed or whether you did not, we sent some concrete replacements for the CAT Fund. What did the Senate do? It did not vote "yes," which could have ended this controversy a month ago, and it did not vote "no," which could have put it into a conference committee a month ago. No. Instead what it did was come up with some peculiar, unusual parliamentary procedure, send a message which was confusing, and it was very difficult to know what in fact the Senate position was, and when we insisted once again that we wanted to go to conference and we appointed conferees—and we have our amendments ready to offer in the conference committee meeting if we want to have it tomorrow morning—but no, the Senate has not appointed conferees. The Senate then, instead of doing the normal thing, once again played games, took another bill and put its version in and sent it back over here and said, see if the insurance companies cannot lean on enough people to get them to break rank and vote to concur, and that is where the game playing is.

Leaving everything else aside, the issue today is not abolition of the CAT Fund. I did not vote to create it; I am going to vote to get rid of it. Everybody else in here has voted to get rid of it with one or two exceptions. The issue is, what is going to replace it? And the question that you have to ask and the question that you have to be prepared to answer is why you were not willing to have this matter negotiated to try to get a better deal for your constituents who do want to have coverage in replacement.

I do not understand why we cannot go to the conference table unless the reason is that the insurance industry and the Senate allies of the insurance industry simply do not have any good arguments to make to defend the Senate position. All we are asking for is an opportunity to take this bill to conference to try to do something for the consumers who do want to have the coverage and to do something on those issues which Mrs. Weston and Mr. Fox had raised on uninsured motorists.

Please vote "no" and give us that opportunity.

The SPEAKER. The Chair recognizes the minority whip.

Mr. HAYES. Thank you, Mr. Speaker.

I sat here a few weeks ago and I heard people like the majority leader and Mr. Lloyd and others come to the microphone and assure the free world that they are against the CAT Fund. They have come to this floor again today - same hash. They want to assure the free world that they are against the CAT Fund. They have said it over and over again. The gentleman from Allegheny, Mr. Cowell, got up and said it. The gentleman from York, Mr. Bortner, got up and said it. Bill Lloyd has said it ad nauseam, and the gentleman, Mr. Manderino, almost the same number of times.

There are only a few things for sure in the legislative process. One of those things is actions speak a lot louder than words. Actions speak a lot louder than words.

For the last couple of times out, many have spill word after word after word about how they want to get rid of the CAT Fund, but when it comes time to put the vote up on that board, they hide behind Bill Lloyd's argument about how bad the Senate is. Parliamentary arguments, I suggest, are not going to bring this issue to a final conclusion.

A few weeks ago this chamber was within one vote of putting this matter on the Governor's desk, and the Governor said, do not send it to me until after the election. So in lock-step the majority leader led his caucus, and now it is going to be until after the election. We are holding out for Bill Lloyd's amendment and we are not going to do this until after the election. They point to the bill and lament that the bill does not become effective within 90 days. Why do they not suspend the rules and make the bill effective immediately? They have stood on the floor of this House and offered such motions on previous occasions. Let us eliminate it immediately.

We are once again, Mr. Speaker, within one vote of putting this issue on the Governor's desk. Some months ago the Governor himself said he was interested in getting rid of the CAT Fund. Now I guess it is time we find out for sure.

It has been said over and over again that every day we tarry we are digging a deeper and deeper hole. It has been estimated that that liability increases at the rate of \$300,000 a day, and those of you who have tried to hold out that argument that somehow you are going to offer something at a much greater savings than what this abysmal mess, the CAT Fund, has been able to do, you are false prophets. Insurance costs are based upon actuarial studies and actual experience. The CAT Fund was not solvent at \$5. It is not solvent at \$8. It will not continue to be solvent at \$24. Since Mr. Lloyd wants to report experiences, why does he not tell us about the neighboring State's experience? Is it still at \$5? Is it still at \$8? Is it even still at \$24? The answer to that is obviously no. Treble that figure, Mr. Lloyd, treble it. As a minimum, treble it.

I begin to wonder, Mr. Speaker, I do not question motives, but after I read roll call after roll call and after I listen to debate after debate and after I read Legislative Journal after Legislative Journal, I start to wonder very seriously about those people who in a rush to the microphone have to first tell us how much they are against the CAT Fund, but then they go through a long litany of parliamentary mumbo jumbo about what the Senate has not done. Mr. Lloyd goes through a whole host of arguments about this pooling concept. I wonder, Mr. Speaker, if they really are against the CAT Fund. I do not question their motives, but as I said a few moments ago, there is only one thing that we can really know for sure, and that is what our actions are when the votes are taken.

I do not believe the people of Pennsylvania give two hoots about that pooling amendment, not two hoots. They do not even know about it. They do not even know what you are talking about, but they know what they are talking about. They want to abolish the CAT Fund, and we are within one vote of doing that in this General Assembly.

I suggest that we vote to concur in Senate amendments. Thank you.

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

Mr. GALLEN. Mr. Speaker, over the weekend a lady came to me and said, "Mr. Gallen, I don't know why you want to abolish the CAT Fund. All that coverage for \$8, \$24, or whatever it is." I said, "Do you know that that coverage has a \$100,000 deductible?" She said, "A what?" I said, "A \$100,000 deductible." That is this great CAT Fund that you are going to be paying \$24, \$56 for with a \$100,000 deductible.

I suggest to Mr. Lloyd that prior to the existence of the CAT Fund, which he opposed, there was unlimited medical coverage, unlimited medical coverage—that is from the first dollar, unlimited—and it cost the people in Somerset County \$13 a year; \$13 a year for the first-dollar coverage. Now with the CAT Fund we have a \$100,000 deductible, so we have to make that up with a premium for the first \$100,000 if we are even going to catch up with that.

Now here is another thing. In response to Mr. Manderino, we want to be big brother to everyone and the CAT Fund is cheap coverage and so on. He said something like, everybody in Pennsylvania benefits. No, everybody in Pennsylvania does not benefit. Only those people in Pennsylvania who sustain injuries as the result of a vehicle accident which exceed \$100,000 benefit. I suggest to Mr. Manderino that those people who have injuries that are the result of automobile accidents which exceed \$100,000 are only 32 percent of all the people who have illnesses and injuries from all causes which exceed \$100,000. So the CAT Fund pays very, very few. And you know, the people are upset with it.

I think we ought to abolish it, and we should stop playing this game - the Senate wants to do this, the House wants to do that; we want to pool, we do not want to pool. The people do not want us to talk like that; they want us to vote "yes" and eliminate it. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, I do not want the free world to believe anything, Mr. Hayes. I just want my constituents to believe that members of the Assembly are concerned about what they pay in premiums if they voluntarily want to have coverage for catastrophic loss. Why you do not want to talk about whether or not the consumer benefits by the plan that we sent to the Senate and why you want to eliminate talk about that at all is beyond me, but I have not heard anybody discuss that.

To talk about \$300,000 in unfunded liability, Mr. DeVerter, you have only magnified the problem by about twelvefold per day, that is all. But we are not causing that. It is the Senate that refuses to sit down to try to resolve the issue.

And Mr. Hayes—or whoever it was if it was not Mr. Hayes—I did not say anything about resolving this after an election or waiting that long. I thought I said that we would call a conference committee; we would ask them to come, and we would call a conference committee every day. That does

not mean after the election; that means next week and before the recess every day. And I think that we will get the issue resolved, and if we do not get the issue resolved, it is not because we will not try to present the arguments in favor of the consumer.

I ask for a negative vote.

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

Mr. FOSTER. Thank you, Mr. Speaker.

I would just like to say in respect to the matter of conferees, there is no need for conferees to get rid of the CAT Fund. We will have need of conferees when we speak about a general overhaul of auto insurance, but the first thing we need to do before that happens is bring a bill out of committee and put one on the calendar. As to getting rid of the CAT Fund, we can do that right here today.

Now, we had previously not \$1 million of coverage for these unfortunate victims, but under the previous plan of auto insurance, we had an unlimited amount of coverage. And I find it ironic that most of the same people who led us into this CAT-infested swamp that we are in today are the same ones that are now telling us we have to wait. I say let us not wait. Let us get rid of the CAT Fund today and then proceed to establish a decent plan of auto insurance.

I ask for concurrence on this measure.

The SPEAKER. The Chair recognizes the minority whip.

Mr. HAYES. Mr. Speaker, I do believe that the public record will show that Governor Casey suggested that we do not take up the issue of the CAT Fund repeal until after the election. Now, being in public life, I realize how easy it is to be misquoted. Maybe the gentleman was misquoted, but widely so he was.

I suggested during my earlier comments that for those who are lamenting the 90-day effective date, why do you not amend this bill, suspend rules and amend, and make it immediate.

To the gentleman, Mr. Manderino, there is probably little doubt as to what the people of Pennsylvania would want on this issue.

If after listening to this debate and knowing that we were within one vote of putting this issue out of the General Assembly and onto the Governor's desk for his consideration and after listening to Mr. Lloyd once again and Mr. Manderino once again pleading their case for a pooling amendment, after the people of Pennsylvania had listened to all of that, I do not think there is any question that they would say, let us get this bill out of the General Assembly and onto the Governor's desk; let him sign it. And then, and then if you want to come back and debate on another day whether there is to be a pooling concept in the insurance laws of this Commonwealth, we will go ahead and do that, but in the meantime, stop the bleeding and get rid of the CAT Fund. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the gentleman, Mr. Hayes, did not say only the Governor. He included me, he

included Mr. Lloyd, and I think he included others; and that is absolutely wrong. I never said anything about after election, and that is the way the record will read when you read it, Mr. Hayes.

In addition, Mr. Hayes, you said that I wanted to tell the free world—and you used my name again—that I am against the CAT Fund. Not so; I have never been against the CAT Fund. I stood at this microphone saying we are making a mistake in what we do, but I know what we are going to do and I know what the tenor of the Assembly is.

Mr. Hayes, just do not misquote me and then get up and say that you did not misquote me.

The SPEAKER. The Chair recognizes the minority whip.

Mr. HAYES. Mr. Speaker, the gentleman, Mr. Manderino, is in favor of the CAT Fund, and he has conjured up every possible parliamentary argument as to why this whole Assembly, both the House of Representatives and Senate, should do it his way.

I think it is time we allow the 11 million people of Pennsylvania to have it their way. Let us say "no" to Manderino, and let us vote to abolish.

The SPEAKER. Those in favor of the amendments inserted by the Senate to HB 854 will vote "aye," as suggested by Mr. Hayes and others; those who do not wish to concur in the amendments inserted by the Senate will vote "no," as suggested by the majority leader.

On the question recurring,

Will the House concur in Senate amendments?

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

YEAS—92

Angstadt	Dietterick	Hess	Raymond
Argall	Diniini	Honaman	Reber
Arty	Distler	Jadlowiec	Reinard
Barley	Dorr	Johnson	Robbins
Birmelin	Durham	Kenney	Ryan
Black	Fargo	Langtry	Saurman
Book	Farmer	Lashingier	Scheetz
Bowser	Fischer	Leh	Schuler
Boyes	Flick	McClatchy	Semmel
Brandt	Foster	McVerry	Serafini
Bunt	Fox	Manmiller	Sirjanni
Burd	Gallen	Merry	Smith, B.
Burns	Gannon	Micozzie	Smith, S. H.
Bush	Geist	Miller	Snyder, D. W.
Carlson	Gladeck	Moehlmann	Snyder, G.
Cessar	Godshall	Mowery	Stairs
Chadwick	Gruppo	Nahill	Taylor, E. Z.
Civera	Hagarty	Noye	Vroon
Clymer	Hasay	Perzel	Wass
Cornell	Hayes	Phillips	Weston
DeVerter	Heckler	Piccola	Wogan
Davies	Herman	Pitts	Wright, J. L.
Dempsey	Hershey	Punt	Wright, R. C.

NAYS—101

Acosta	Duffy	Livengood	Rieger
Battisto	Evans	Lloyd	Ritter
Belardi	Fattah	Lucyk	Roebuck
Belfanti	Fee	McCall	Rudy
Billow	Freeman	McHale	Rybak
Blaum	Gamble	Maiale	Saloom
Bortner	George	Maine	Seventy
Bowley	Gruitza	Manderino	Showers
Broujos	Haluska	Markosek	Staback

Caltagirone	Harper	Mayernik	Steighner
Cappabianca	Hayden	Melio	Stuban
Carn	Howlett	Mjchlovic	Sweet
Cawley	Hughes	Morris	Taylor, F.
Clark	Hutchinson	Mrkonic	Tigue
Cohen	Itkin	Murphy	Trello
Colafella	Jarolin	O'Brien	Van Horne
Cole	Josephs	O'Donnell	Veon
Corrigan	Kasunic	Olasz	Wambach
Cowell	Kitchen	Oliver	Wiggins
Coy	Kosinski	Petrarca	Wozniak
DeLuca	Kukovich	Petrone	Wright, D. R.
DeWeese	LaGrotta	Pievsky	Yandrisevits
Daley	Lescovitz	Pistella	
Dawida	Letterman	Pressmann	Irvis,
Dombrowski	Levdansky	Preston	Speaker
Donatucci	Linton	Richardson	

NOT VOTING—2

Kennedy Taylor, J.

EXCUSED—2

Freind Jackson

Less than the majority required by the Constitution having voted in the affirmative, the question was determined in the negative and the amendments were not concurred in.

Ordered, That the clerk inform the Senate accordingly.

BILLS ON THIRD CONSIDERATION CONTINUED

The SPEAKER. We are having a particular problem with the amendments to HB 2369, the budget vehicle. Please pay attention.

There are many of you who have amendments, and we have been informed of them, but you have not sent them to the amendment clerk. You perhaps delivered them to the Republican caucus or to the Democratic caucus, assuming that they would get to the amendment clerk. It is your responsibility to get your copies to the amendment clerk so that we may put your amendments on the list which we call. So please, if you have not done so and you have amendments to be offered, make sure your copies go to the amendment clerk so that she records them so that we may have them on the list.

The House proceeded to third consideration of **HB 2369, PN 3386**, entitled:

An Act to provide from the General Fund for the expenses of the Executive, Legislative and Judicial Departments of the Commonwealth, the public debt and for the public schools for the fiscal year July 1, 1988, to June 30, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1988; to provide appropriations from the Lottery Fund, the Pennsylvania Economic Revitalization Fund and the Energy Conservation and Assistance Fund to the Executive Department; to provide appropriations from the Judicial Computer System Augmentation Account to the Judicial Department; to provide for the appropriation of Federal funds to the Executive and Judicial Departments of the Commonwealth and for the establishment of restricted receipts accounts for the fiscal year July 1, 1988, to June 30, 1989, and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending June 30, 1988.

On the question,  
 Will the House agree to the bill on third consideration?  
 Mr. COWELL offered the following amendments No. A3024:

Amend Sec. 211, page 61, by inserting between lines 1 and 2  
 For payments for early intervention - handi-  
 capped children.  
 State appropriation..... 8,258,000  
 Amend Sec. 218, page 134, line 22, by decreasing the amount  
 of the appropriation by  
 8,258,000

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

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

Mr. COWELL. Thank you, Mr. Speaker.  
 Mr. Speaker, this amendment deals with early intervention programs for handicapped infants and preschool children. It does what the Governor's budget said he intended to do, and it does what has happened as a result of administrative action in each of the past 3 or 4 years. It divides the early intervention moneys into two separate appropriations, part for the Department of Public Welfare and part for the Department of Education.

The numbers reflected in this amendment would remove \$8,258,000 from the early intervention line item in the Department of Education and create a line item in the Department of Public Welfare with an appropriation of a similar amount. It is clearly understood already within the Departments of Education and Welfare that they would intend for this transfer to occur anyway, and they would do it administratively in August or September, sometime after we pass the budget. The early intervention community has asked repeatedly for the last several years that we split the allocation as I propose to do, because that is what happens anyway, except if we do it in the budget bill, we will avoid a month or 6 weeks of delay and uncertainty in the early intervention community.

I would urge we adopt the amendment.  
 On the question recurring,  
 Will the House agree to the amendments?

The following roll call was recorded:

YEAS—189

Acosta	Dombrowski	Lashingar	Richardson
Angstadt	Donatucci	Leh	Rieger
Argall	Dorr	Lescovitz	Ritter
Arty	Duffy	Letterman	Robbins
Barley	Durham	Levdansky	Roebuck
Battisto	Evans	Linton	Rudy
Belardi	Fargo	Livengood	Ryan
Belfanti	Farmer	Lloyd	Rybak
Billow	Fee	Lucyk	Saloom
Birmelin	Fischer	McCall	Saurman
Black	Flick	McClatchy	Scheetz
Blaum	Foster	McHale	Schuler
Book	Fox	McVerry	Semmel
Bortner	Freeman	Maiale	Serafini
Bowley	Gallen	Maine	Seventy
Bowser	Gamble	Manderino	Showers
Boyes	Gannon	Manmiller	Sirianni
Brandt	Geist	Markosek	Smith, B.
Bunt	George	Mayernik	Smith, S. H.

Burd	Gladeck	Melio	Snyder, D. W.
Burns	Godshall	Merry	Snyder, G.
Bush	Gruitza	Micozzie	Staback
Caltagirone	Gruppo	Miller	Stairs
Cappabianca	Hagarty	Moehlmann	Steighner
Carlson	Haluska	Morris	Stuban
Carn	Harper	Mowery	Sweet
Cawley	Hasay	Mrkonic	Taylor, E. Z.
Cessar	Hayden	Murphy	Taylor, F.
Chadwick	Hayes	Nahill	Taylor, J.
Civera	Heckler	Noye	Tigue
Clark	Herman	O'Brien	Trello
Clymer	Hershey	O'Donnell	Van Horne
Cohen	Hess	Olasz	Veon
Colafella	Honaman	Oliver	Vroom
Cole	Hughes	Perzel	Wambach
Cornell	Itkin	Petrarca	Wass
Corrigan	Jadlowiec	Petrone	Weston
Cowell	Jarolin	Phillips	Wiggins
Coy	Johnson	Piccola	Wogan
DeLuca	Josephs	Pievsky	Wozniak
DeVerter	Kasunic	Pistella	Wright, D. R.
DeWeese	Kennedy	Pitts	Wright, J. L.
Daley	Kenney	Pressmann	Wright, R. C.
Davies	Kitchen	Preston	Yandrisevits
Dempsey	Kosinski	Punt	
Dietterick	Kukovich	Raymond	Irvis,
Dininni	LaGrotta	Reber	Speaker
Distler	Langtry	Reinard	

NAYS—3

Broujos Hutchinson Michlovic  
 NOT VOTING—3

Dawida Fattah Howlett  
 EXCUSED—2

Freind Jackson

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

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

PARLIAMENTARY INQUIRY

The SPEAKER. For what purpose does the gentleman from Crawford, Mr. Merry, rise?

Mr. MERRY. Mr. Speaker, a point of parliamentary inquiry, please.

The SPEAKER. What is your point, Mr. Merry?

Mr. MERRY. We have been informed by a previous House rule that we are going to have to take something away from the budget in order to add something to the budget. Now we are just beginning this amendatory process, and the first amendment lists an amount to decrease something by a million dollars and to increase another by a million dollars, but I and the rest of the members have no idea what is being decreased. If these people are going to be tinkering with this budget process, should we not have the right of knowing where the money is coming from?

The SPEAKER. The amendment does indicate where the money will come from. If you are suggesting that it would be easier on the members if the offerer of the amendment were to

specify rather than just amend section 218, page 134, the Chair agrees with you, but the member does not have to do that. If you in fact do not understand what section 218, page 134, says, then you, of course, have the right to interrogate the man or woman offering the amendment as to where the money is coming from. The Chair would suggest that you follow that rather than insist that everybody explain where the money is coming from.

Do you understand the Chair's explanation?

Mr. MERRY. Yes, sir.

On the question recurring,

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

Mr. MICHLOVIC offered the following amendments No. A3053:

Amend Sec. 208.1, page 36, line 21, by increasing the amount of the appropriation by  
1,700,000

Amend Sec. 208.1, page 38, line 29, by decreasing the amount of the appropriation by  
600,000

Amend Sec. 208.1, page 39, line 30, by decreasing the amount of the appropriation by  
500,000

Amend Sec. 212, page 80, line 30, by decreasing the amount of the appropriation by  
600,000

On the question,

Will the House agree to the amendments?

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

Mr. MICHLOVIC. Thank you, Mr. Speaker.

Amendment A3053 is a \$1.7-million appropriation to Allegheny County for three purposes: for a bicentennial celebration, for an olympic marathon, and for the Pittsburgh Zoo. There is \$600,000 taken from the Department of Environmental Resources' State parks, \$500,000 removed from the Department of Commerce, and \$500,000 removed from the Department of Commerce's commercial advertising, for the total of \$1.7 million.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—26

Bunt	Flick	Nahill	Richardson
Cohen	Fox	Petrone	Trello
Colafella	Josephs	Pistella	Van Horne
Cornell	Kitchen	Preston	Veon
Cowell	Langtry	Raymond	Wiggins
Duffy	Michlovic	Reber	Wright, R. C.
Fischer	Mrkonic		

NAYS—164

Acosta	Dininni	Kosinski	Reinard
Angstadt	Distler	Kukovich	Rieger
Argall	Dombrowski	LaGrotta	Ritter
Arty	Donatucci	Lashingier	Robbins
Barley	Dorr	Leh	Roeback
Battisto	Durham	Lescovitz	Rudy
Belardi	Evans	Letterman	Ryan

Belfanti	Fargo	Levdansky	Rybak
Billow	Farmer	Linton	Saloom
Birmelin	Fattah	Livengood	Saurman
Black	Fee	Lloyd	Scheetz
Blaum	Foster	Lucyk	Schuler
Book	Freeman	McCall	Semmel
Bortner	Gallen	McClatchy	Serafini
Bowley	Gamble	McHale	Showers
Bowser	Gannon	McVerry	Sirianni
Boyes	Geist	Maine	Smith, B.
Brandt	George	Manderino	Smith, S. H.
Broujos	Gladeck	Manmiller	Snyder, D. W.
Burd	Godshall	Markosek	Snyder, G.
Burns	Gruitza	Mayernik	Staback
Bush	Gruppo	Melio	Stairs
Caltagirone	Hagarty	Merry	Steighner
Cappabianca	Haluska	Micozzie	Suban
Carlson	Harper	Miller	Sweet
Carn	Hasay	Moehlmann	Taylor, E. Z.
Cawley	Hayden	Morris	Taylor, F.
Cessar	Hayes	Mowery	Taylor, J.
Chadwick	Heckler	Noye	Tigue
Civera	Herman	O'Brien	Vroon
Clark	Hershey	O'Donnell	Wambach
Clymer	Hess	Olasz	Wass
Cole	Honaman	Oliver	Weston
Corrigan	Hughes	Perzel	Wogan
Coy	Hutchinson	Petrarca	Wozniak
DeLuca	Itkin	Phillips	Wright, D. R.
DeVerte	Jadlowiec	Piccola	Wright, J. L.
DeWeese	Jarolin	Pievsky	Yandrisevits
Daley	Johnson	Pitts	
Davies	Kasunic	Pressmann	Irvis,
Dempsey	Kennedy	Punt	Speaker
Dietterick	Kenney		

NOT VOTING—5

Dawida	Maiale	Murphy	Seventy
Howlett			

EXCUSED—2

Freind	Jackson
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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 as amended?

The SPEAKER. Listen, please; listen, please.

Some of you are not sending the eight copies forward. They must receive eight copies here. The Speaker assumed that he was still speaking the English language. Now, either he is not or you are not hearing it. Now, some of you are going to be penalized in your position on this list if you ignore the instructions of the Chair. You must send the eight copies forward. If you do not send them forward, we shall not read your name in order, and some of you who have sent none of them forward cannot be expected to offer those amendments on this floor.

On the question recurring,

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

Miss SIRIANNI offered the following amendments No. A3090:

Amend Sec. 201, page 15, line 10, by decreasing the amount of the appropriation by  
84,000

Amend Sec. 230, page 156, line 10, by increasing the amount of the appropriation by  
84,000

On the question,

Will the House agree to the amendments?

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

Miss SIRIANNI. Mr. Speaker, my amendment adds an additional \$84,000 to the Milk Marketing Board, because we in this House and Senate have placed these mandates on the Milk Marketing Board. Therefore, I feel it is necessary for us to supply the necessary money to continue the program.

The SPEAKER. Now, let us get this straight. Miss Sirianni has told you where she is taking the money from. Yes, she has.

Miss SIRIANNI. I took it from the Governor's Office.

The SPEAKER. Quiet down, please.

If you do not understand the language of the amendment, then it is your obligation to stand at the microphone and interrogate the person who offers the amendment. Miss Sirianni told you that she was taking \$84,000 from page 15, line 10. If you do not know what that is, then you stand at the microphone and interrogate Miss Sirianni and get an answer.

Miss SIRIANNI. Mr. Speaker?

The SPEAKER. Miss Sirianni.

Miss SIRIANNI. May I change my statement a little?

I took it from the huge increase in the Governor's Office, not from what he had before.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. I am glad you added that. That will win you a lot of points.

Mr. Speaker, the Milk Marketing Board has been held to about the same budget item as in previous years, and maybe Miss Sirianni was reacting to that particular statement. On the calendar in the House right now is HB 2100, which is supported by the industry and was asked for by the industry, which will raise well in excess of the \$84,000 for the workings of that board that Miss Sirianni feels that they need and I do not dispute. I would think that the manner in which we have handled the Governor's Office and the manner in which we are handling the Milk Marketing Board through HB 2100 is the way we ought to go.

I ask for a negative vote.

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

Miss SIRIANNI. Mr. Speaker, I think there is a lack of concern regarding the Milk Marketing Board and the dairy industry in Pennsylvania.

The board receives money from two sources: from licenses paid by milk dealers and from the General Fund. The board's license fees have not been increased since 1978, and the General Fund appropriation has not been increased since 1982. They have had mandated salary increases by union contracts, and they have had increased costs for travel because the travel costs have gone up, and other operating costs have gone up automatically, and the board is really in a financial

bind. It is not able to properly perform the mandated duties, and I believe it behooves us to try to help.

Now, remember, there are 15,000 dairy farmers, who produce over 10 billion pounds of milk each year, with a wholesale value of \$2 1/2 billion, in Pennsylvania. I think that should be important to each and every one of you, and you ought to get that straight in your own mind before you put up a vote on that board.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, will the lady yield to interrogation?

The SPEAKER. Miss Sirianni, will you stand for interrogation?

Miss SIRIANNI. Yes, Mr. Speaker.

The SPEAKER. You may proceed, Mr. Manderino.

Mr. MANDERINO. Mr. Speaker, do you realize you spoke three times on that amendment?

Miss SIRIANNI. Mr. Speaker, I—

The SPEAKER. That is four.

Miss SIRIANNI. I realize that, and I am grateful to the gentleman for giving me the opportunity.

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

Mr. PRESTON. Thank you, Mr. Speaker.

Will the lady answer a few questions for me, please?

The SPEAKER. Miss Sirianni indicates she will stand for interrogation. You may proceed.

Mr. PRESTON. Can you tell me what part of the Governor's budget per se that you have taken the funds out of?

Miss SIRIANNI. From any portion of the increase.

Mr. PRESTON. Which part of the Governor's— Is it the part that runs a particular office, or is it his office? Is it the Governor's Mansion or what?

Miss SIRIANNI. The general government operations, which has a \$669,000 increase. It is merely taking \$84,000 away from a \$669,000 increase.

Mr. PRESTON. So what you are saying is, you want to give \$84,000 to the Milk Marketing Board as compared to the part where the Governor resides which a lot of your constituency also pass through, as far as the Governor's Mansion or the operation of his office or what other form of staff he has. Is that the correct section that you are taking the money from, Mr. Speaker?

Miss SIRIANNI. Yes; that is what I want to do, exactly.

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

### PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the gentleman from Northumberland, Mr. Belfanti.

Mr. BELFANTI. Mr. Speaker, I have a point of parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BELFANTI. Thank you, Mr. Speaker.



I think it is important for every member in the chamber to pay some attention to this question and the subsequent answer.

Mr. Speaker, I do not know how many of the other members took time to do this, but I put my amendments in order so that all of the amendments that are decreasing the amount of any one line item are together. That is how I rambled through my amendment stack, and I find that this is the first glaring example of what is going to happen over the course of the next couple of days. There are five different amendments deleting an amount from page 15, line 10: Sirianni, for \$84,000; Dorr, for \$450,000; Maine, for \$121,000; Durham, for \$250,000; and Pistella, for \$112,000. Now, Mr. Speaker, since there is no way for the maker of an amendment to know who else in this chamber was also amending that same line item, we have the ability here to wipe out entire programs, entire agencies. I know this one deals with the Governor. I know that there are others that I also have stacks where 15, 20, or 25 amendments—

The SPEAKER. Will the gentleman yield for a moment?

Mr. BELFANTI. Yes.

The SPEAKER. What is the gentleman's parliamentary inquiry?

Mr. BELFANTI. My question is, if this process is to continue, is there a cumulative effect by in one case we have 15 or 20 amendments that are taking different—

The SPEAKER. The answer is yes.

Mr. BELFANTI. Well, then, Mr. Speaker, I think this system might be better than the one we have used over previous years, but I do not think it can work, and I would like that to be on the record.

The SPEAKER. Fine.

### PARLIAMENTARY INQUIRY

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, a point of parliamentary inquiry.

You, Mr. Speaker, said "the answer is yes." I am curious as to what that "yes" means. I agree, the gentleman has pointed out a problem—

The SPEAKER. It means, Mr. Ryan, that if there is \$100,000 in the line and the first speaker takes \$10,000 away and the next one takes \$90,000 away, the whole \$100,000 has been spent. If a third one comes up and says I want to take another \$15,000, he cannot do it because it is not there.

Mr. RYAN. Mr. Speaker, now, the problem with that explanation, which mathematically sounds correct, is the next guy up may be putting money into the Governor's Office.

The SPEAKER. In that case, the one after him could take it away.

Mr. RYAN. This is the problem that was raised when the temporary amendments were adopted, Mr. Speaker. It makes sense, but it is not practical, unless we have some kind of a running tote board—

Mr. MANDERINO. Mr. Speaker, we argued that before—

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

The SPEAKER. All right, Mr. Ryan, you are recognized.

### POINT OF ORDER

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

The SPEAKER. What is the gentleman's point of order?

Mr. MANDERINO. The man has spoken on his parliamentary inquiry; he is now argumentative.

Mr. RYAN. Mr. Speaker, me?

The SPEAKER. No one would ever accuse you of being argumentative, Mr. Ryan.

All right. Let us get this going now, because we have agreed on the procedure. Whether it is a sensible one or not, we shall find out. Let us proceed.

Mr. RYAN. I, Mr. Speaker, have the answer to this problem.

Mr. MANDERINO. Now, if you could only find a way to present it that is in order, we would be all right.

Mr. RYAN. There is some truth to that, Mr. Speaker.

Might I make a suggestion, Mr. Speaker, just trying to move this thing along.

The SPEAKER. We will listen.

Mr. MANDERINO. I do not believe you are just trying to move it along.

Mr. RYAN. Well, you are wrong, again.

Mr. Speaker, I have an amendment. I would like the gentleman just to listen to this, and I will send a copy of it over, that in effect—

Mr. MANDERINO. No. You could talk to me about it beforehand. I am going to insist that we go by the rules.

Mr. RYAN. All right.

May I continue?

The SPEAKER. On the parliamentary inquiry, yes.

Mr. RYAN. Thank you.

I have an amendment to the temporary rule, Mr. Speaker, that permits, in a situation such as the one pointed out by the gentleman, that other members may be permitted to redraft their amendments if the situation takes place as you have described it. In other words, we have emptied the Governor's Office of all money because five people have emptied it. That would permit the sixth person who wanted to take money from the Governor's Office to have amendments redrafted, only to find a new spot from which to remove money. I think it is a reasonable solution.

The SPEAKER. The Chair understands, but the gentleman's amendment is not currently on the floor of the House, and we have answered the parliamentary inquiry according to the rules of the House now extant. Let us get on back to the question of voting.

### PARLIAMENTARY INQUIRY

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

Mr. GANNON. Mr. Speaker, additional parliamentary inquiry, please.

The SPEAKER. What is yours?

Mr. GANNON. Mr. Speaker, if I understood you correctly, you said that if an amendment was offered that appropriated funds from a source that was already exhausted, that that amendment could not be considered. Is that inaccurate?

The SPEAKER. The amendment would be a nullity. There would be nothing for it to remove.

Mr. GANNON. How does the Speaker block the consideration of that amendment by the House? I mean, what is the parliamentary procedure here to prohibit a member from offering an amendment?

The SPEAKER. The Speaker would advise the floor that this amendment goes beyond the capacity of the line to feed it, and if the House wants to be foolish enough to pass an amendment which has no bearing whatsoever, the House always has the privilege of being a fool.

Mr. GANNON. Now, Mr. Speaker, if—

The SPEAKER. The House will stand at ease.

Mr. GEIST. Mr. Speaker?

The SPEAKER. The House is at ease right now. We are trying to figure out the mathematics of this problem.

Mr. GEIST. That is why I am rising, Mr. Speaker. I wanted to ask the opinion of the Chair.

The SPEAKER. The Chair has no opinion on opinions right now.

Let us go back to the Sirianni amendment. The Chair will try to answer your parliamentary inquiries once we get rid of the substance. The Chair will come back.

The Chair recognizes the gentleman from Northumberland, Mr. Belfanti. What is it?

Mr. BELFANTI. Mr. Speaker, on the Sirianni amendment.

The SPEAKER. Very well.

Mr. BELFANTI. Mr. Speaker, because of the obvious confusion that I think is going to encumber this House over the next couple of days, I am just asking that all of the members pay particular attention to these line items and the deletions thereof in the budget, because we really have the ability here to create a lot of havoc with a lot of State agencies.

I intended, before I thought about this, to vote "yes" on quite a few line items, but I do not think that a "yes" vote is a good idea on anything but the most necessary line items in this budget. I would hope that my colleagues would act very responsibly and look at the deletion prior to looking at the increase, because as I understand the original budget document, it increases just about every agency at a level of 2 1/2, 3 1/2, 4 percent. This process here, however, has the ability of removing 50, 60, 70, or 100 percent of the operating expenses of many agencies and departments.

So I am asking for a "no" vote on the Sirianni amendment. Thank you.

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

The following roll call was recorded:

YEAS—94

Angstadt	Distler	Kennedy	Reber
Argall	Dorr	Kenney	Reinard
Arty	Durham	Langtry	Robbins
Barley	Fargo	Lashinger	Rudy
Birmelin	Farmer	Leh	Ryan
Black	Fischer	McClatchy	Saurman
Book	Flick	McVerry	Scheetz
Bowser	Fox	Manmiller	Schuler
Brandt	Gallen	Merry	Semmel
Bunt	Gannon	Micozzie	Serafini
Burd	Geist	Miller	Sirianni
Burns	Gladeck	Moehlmann	Smith, B.
Bush	Godshall	Mowery	Smith, S. H.
Carlson	Gruppo	Nahill	Snyder, D. W.
Cessar	Hagarty	Noye	Snyder, G.
Chadwick	Hasay	O'Brien	Stairs
Civera	Hayes	Perzel	Taylor, E. Z.
Clymer	Heckler	Phillips	Taylor, J.
Cornell	Herman	Piccola	Vroon
DeVerter	Hershey	Pitts	Wass
Davies	Hess	Pressmann	Weston
Dempsey	Honaman	Punt	Wright, J. L.
Dietterick	Jadlowiec	Raymond	Wright, R. C.
Dininni	Johnson		

NAYS—95

Battisto	Donatucci	Letterman	Richardson
Belardi	Duffy	Levdansky	Rieger
Belfanti	Evans	Linton	Ritter
Billow	Fattah	Livengood	Roebuck
Blaum	Fee	Lloyd	Rybak
Bortner	Foster	Lucyk	Saloom
Bowley	Freeman	McCall	Seventy
Boyes	Gamble	McHale	Showers
Broujos	George	Maine	Staback
Caltagirone	Gruitza	Manderino	Steighner
Cappabianca	Haluska	Markosek	Stuban
Carn	Harper	Mayernik	Sweet
Cawley	Hayden	Melio	Taylor, F.
Clark	Hughes	Michlovic	Tigue
Cohen	Hutchinson	Morris	Trello
Colafella	Itkin	Murphy	Van Horne
Cole	Jarolin	O'Donnell	Veon
Corrigan	Josephs	Olasz	Wambach
Cowell	Kasunic	Oliver	Wogan
Coy	Kitchen	Petrarca	Wozniak
DeLuca	Kosinski	Petrone	Yandrisevits
DeWeese	Kukovich	Pievsky	
Daley	LaGrotta	Pistella	Irvis,
Dawida	Lescovitz	Preston	Speaker
Dombrowski			

NOT VOTING—6

Acosta	Maiale	Wiggins	Wright, D. R.
Howlett	Mrkonic		

EXCUSED—2

Freind	Jackson
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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 as amended?

The SPEAKER. Now let us see if we can clear the air of the mathematics.

If under the temporary rule you have reduced a line item to zero, there being no further money in that line item, your amendment is a nullity and under the rule could not be consid-

ered. However, if it is reduced to zero and you wish to increase it and take that increase from another line item, at that point, of course, it is no longer mathematically at zero, if the House agrees with you. If your question is, how will we know when the line item is at zero, you have got to ask that question of someone else.

**PARLIAMENTARY INQUIRY**

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

Mr. GANNON. Mr. Speaker, my parliamentary inquiry had a second question.

The SPEAKER. What is the second point?

Mr. GANNON. If in fact it is brought to the attention of the House that a line item is at zero and an amendment is a nullity and cannot be considered and then subsequent money is added into that line item, will the amendment that was at one time considered a nullity be eligible for reconsideration or eligible for consideration of the House and will it be brought up in order?

The SPEAKER. The answer is, once there is money back on the line item, an amendment could be offered to reduce that amount of money; yes.

Mr. GANNON. No. I am sorry, Mr. Speaker; I did not make myself clear. But if an amendment was a nullity and had to be withdrawn because there were no funds, would that amendment then reactivate or be eligible for consideration if funds were replenished?

The SPEAKER. Listen again. In the opinion of the Chair, the answer is yes, that if you temporarily withdraw your amendment because there is no money available but money becomes available, it is still your amendment; it could be offered. But again, if you are asking the Chair, how will we know that, well, we will depend on the little computer over to the right and prayer.

**PARLIAMENTARY INQUIRY**

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Piccola. What is your question?

Mr. PICCOLA. A point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. What is yours?

Mr. PICCOLA. The Speaker raises a very good point in jest, halfway in jest, but who shall be the authority and who is keeping track of the mathematics of all this so that we know in advance what these totals are?

The SPEAKER. We have authorized the use of the computer over to the right of the Chair, and members of the Appropriations Committee staff are keeping running totals.

Mr. PICCOLA. Thank you.

**PARLIAMENTARY INQUIRY**

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

Mr. GEIST. Thank you, Mr. Speaker.

A point of parliamentary inquiry.

The SPEAKER. What is yours?

Mr. GEIST. Since Mr. Belfanti brought up the fact about the number of amendments that refer to the same line item and since the budget in the way we are doing it now is a complex matrix, would we not be better off by doing these amendments by random number, otherwise by your putting them in a box and drawing them out one at a time so that there is a fair shake on the amendments?

The SPEAKER. The Chair is not doing that. The Chair is following the list of amendments given to him by the majority leader. The Chair follows that list as best he can as the majority leader supplies him with that list.

Some of the people who should have been called by this time have not been called because they did not follow the rules of the House, so we are skipping some of them. That is the reason this is the third time I have said it.

On the question recurring,

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

Mrs. DURHAM offered the following amendments No. A3107:

Amend Sec. 201, page 15, line 10, by decreasing the amount of the appropriation by  
250,000

Amend Sec. 222, page 148, by inserting between lines 26 and 27

For additional State troopers to patrol Interstate 95 in Delaware County.

State appropriation..... 250,000

On the question,

Will the House agree to the amendments?

The SPEAKER. The Chair recognizes the lady from Delaware, Mrs. Durham, on the amendment.

Mrs. DURHAM. Thank you, Mr. Speaker.

Mr. Speaker, I am asking that the House appropriate \$250,000 in additional money to the State Police.

I-95, which runs through Delaware County, begins in my legislative district. My legislative district borders the State of Delaware. I am sure that if you have traveled to the seashore, you have seen the New Jersey police patrolling the highways there. Unfortunately, many drug dealers use the roads in New Jersey to travel north to get to New York. The New Jersey State Police have very actively enforced their driving laws and have arrested and convicted many drug runners. Therefore, what has happened is the drug runners have now moved to I-95 through Pennsylvania. I am sure we are all aware of the severe problem that drugs face not only in my legislative district but the entire State.

I have met with the State troopers whose barracks are the Franklin Barracks in Delaware County, and they tell me that they need additional men and they need additional money. Unfortunately, the problem that we have is that many small communities, not in my legislative district but in other parts of the State, have disbanded their police force, and therefore,

the State Police must enforce the laws in those communities. So the State Police at the present time are shorthanded. That is why I am asking for the increase.

I would like to mention that the increase is coming from the increase in the Governor's Office, and I have subtracted the amount of money that was taken under the Sirianni amendment and there still is adequate funding. The Governor's proposed budget is for \$5.6 million and this would reduce it to \$5.4 million. Thank you.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, traditionally funding for State troopers comes from two sources - the Motor License Fund and the General Fund. Ordinarily, General Fund moneys are used other than for patrol of highways; the Motor License Fund is used for the patrol of highways.

The lady correctly states that she has taken the money out of the Governor's Office, and it is not appropriated to the State Police so simply as she stated; it is appropriated for additional State troopers to patrol Interstate 95 in Delaware County - incidentally, where the young lady is from.

I ask for a negative vote, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the amendment. I think everybody in this chamber would probably be in favor of adding additional State Police, and I do not think we oppose that. What we do oppose is, once again this is an amendment that takes money from the Governor's Office, and I would suggest, if the maker of the amendment were serious about increasing the State Police, that they would take money out of the line item for the House Republican Caucus. We would gladly pass the amendment and increase State Police on I-95.

The SPEAKER. The Chair recognizes the lady from Delaware, Mrs. Durham.

Mrs. DURHAM. Thank you, Mr. Speaker.

Mr. Speaker, I am not asking the State Police to take State troopers from other counties and send them to mine. Instead what I am asking is that there be an increase so that there is not a shortage in other legislators' counties.

Furthermore, I believe that the Governor has received an increase up to 13 percent. This would make his increase 8 percent, and I think that that is an adequate increase. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Preston, on the amendment.

Mr. PRESTON. Thank you.

Will the maker of the amendment stand for interrogation?

The SPEAKER. Mrs. Durham indicates she will stand for interrogation. You may proceed.

Mr. PRESTON. Thank you.

Can you tell me what the current budget is right now for Delaware County only for the State Police on I-95?

Mrs. DURHAM. Yes, Mr. Speaker. Zero.

Mr. PRESTON. Are you saying that there is no money spent at all on I-95 for the State Police, so therefore the State

Police do not patrol at all on I-95 in Delaware County in your legislative district?

Mrs. DURHAM. They do not patrol I-95 through Delaware County. If you see State troopers on I-95, they are from the Belmont Barracks, which is in Philadelphia, and you will see them patrolling the more northern end of I-95. They may come into Delaware County slightly, but they are not patrolling through the main part where we are having problems with the drugs.

Mr. PRESTON. Let me ask my question another way then. Do the State Police patrol I-95 in Delaware County at all?

Mrs. DURHAM. No.

Mr. PRESTON. So therefore, how do the State Police get from one side to the other side then if they do not go through I-95?

Mrs. DURHAM. I-95 is on the most eastern border of Delaware County, and therefore, they never need to cross I-95 because their jurisdiction is not further west than I-95.

Mr. PRESTON. So you are telling me therefore then a State policeman has never written a ticket for a moving violation on I-95 in Delaware County?

Mrs. DURHAM. I do not have that information.

Mr. PRESTON. If they do not patrol— I am trying to imagine, you are saying that I-95 in your district has never had a State Police patrol person to your knowledge. Is that what you are saying, that they have never gone up and down I-95?

Mrs. DURHAM. No.

Mr. PRESTON. Never stopped anyone for speeding or anything like that?

Mrs. DURHAM. What I am telling you is that when I met with the State troopers, they told me they do not patrol I-95.

Mr. PRESTON. Can you tell me, where did you meet the State patrol people?

Mrs. DURHAM. At the Franklin Barracks on Baltimore Pike in Delaware County at their barracks.

Mr. PRESTON. In Delaware County? You met with the State Police in Delaware County, and you are saying therefore, but the State Police do not patrol at all in Delaware County?

Mrs. DURHAM. What I am saying is that when I met with the lieutenant of the State Police barracks in Delaware County, he told me that he did not have men to patrol I-95; therefore, he does not send them there. He said that it was too far, they could not have adequate backup, and that he could not send any troopers there.

Mr. PRESTON. Can you tell me, do you have State Police in Delaware County?

Mrs. DURHAM. We have State troopers in Delaware County, yes.

Mr. PRESTON. Okay. Is that on an interstate at all? Is it close to an interstate?

Mrs. DURHAM. The State Police barracks are not close to I-95. The State Police barracks would be approximately 20 minutes' driving time from the barracks to I-95.

Mr. PRESTON. So you are telling me where they have a State Police barracks the State Police do not patrol any of the interstates within that county. Am I correct?

Mrs. DURHAM. I am telling you what the State troopers told me, and that was they do not have adequate manpower to patrol I-95.

Mr. PRESTON. That is not the question.

Mrs. DURHAM. Mr. Speaker, I was as shocked as you are.

Mr. PRESTON. Mr. Speaker, may I just comment very quickly on the amendment?

The SPEAKER. Is the gentleman through with the interrogation?

Mr. PRESTON. I have traveled on I-95 in Delaware County—

The SPEAKER. Is the gentleman through with interrogation?

Mr. PRESTON. Yes, I am.

The SPEAKER. You may now speak on the amendment.

Mr. PRESTON. I have seen State Police patrolling on I-95 cruising up and down the road, including someone giving an actual ticket on I-95. I think the statement that I have just said speaks for itself.

I think the lady's amendment is inaccurate, and I think it should be voted down.

The SPEAKER. The Chair recognizes the gentleman from Northumberland, Mr. Belfanti, on the amendment.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, since I last spoke, there have been two additional amendments circulated impacting page 15, line 10, one in the amount of \$250,000 and one in the amount of \$197,000. That is five or six remaining just on that line item, and they are still circulating amendments.

So I am asking again that the members vote "no" and look at what the decrease is in as opposed to where the increase is and, in particular, when the increase is only going to affect one single legislator's constituency and not an entire State program. Please vote "no" on these kinds of amendments.

The SPEAKER. The Chair recognizes the minority leader on the Durham amendment.

Mr. RYAN. Mr. Speaker, the gentleman, Mr. Belfanti, is pointing out problems that are coming about by reason of the adoption of these temporary rules. Who is going to play the role of God to determine what amendment is going to get serious consideration based on the amendment, the appropriation part of the amendment? We have a half dozen or a dozen negative impacts on the Governor's Office so far. We all know this cannot be. The Governor's Office has to have money to operate. No one is suggesting for a minute that it is going to operate on zero dollars, but the problem is coming about when we have an argument such as the one advanced by Mr. Belfanti: do not vote in favor of Mrs. Durham's amendment because of what it does to the Governor's Office, and there are eight more amendments pending or six. I am saying ignore that. Let us face that problem when we come to it. We always solve the problems by suspending the rules and doing some other magic thing.

Now, with respect to what the gentleman, Mr. Preston, said. I suspect that he has been on I-95 maybe once or twice in the Delaware County vicinity. I use it regularly, and although

I was never aware of it, now that this is mentioned, I have never seen a State policeman in Delaware County on I-95. I have seen local police; I have seen local speedtraps—I have never been in them, fortunately—but I have seen local police patrolling that area with speedtraps. I have not seen the State Police there. There are other roads in Delaware County and our State Police do a great job in the county and we are not being critical of them at all. But what Mrs. Durham says is true: *the criminal activities have moved off the Jersey Turnpike to a great extent and are coming now through the I-95 corridor, and I think not to protect Delaware County but to protect Philadelphia probably more so than Delaware from the ravages of this drug activity which seems to be moving through the I-95 corridor.*

I think this is a very, very worthwhile amendment, and I suggest strongly that we adopt it as a law-and-order measure.

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

Mr. BORTNER. Thank you, Mr. Speaker.

I am reluctant to continue the debate on this issue, but I think enough confusion was created by the previous exchange to justify a clarifying remark or two.

Your interstate highways in Pennsylvania are patrolled by Troop S, which is headquartered in Milesburg off Route 80. They patrol all of the interstate highways, so if you go to your local barracks and ask them, the answer is, no, they do not patrol the interstate highways. The York Barracks does not put troopers on 83, nor do barracks put troopers on Interstate 81 or other interstates; they are assigned out of Troop S in Milesburg. They assign them to the various barracks at the various locations.

*It is hard for me to believe that there are no troopers out of Troop S who are assigned to that portion of I-95, but I have never been there. But that is the answer why no troopers out of Delaware are on that particular part of the interstate.* Thank you, Mr. Speaker.

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

Mr. KOSINSKI. Thank you, Mr. Speaker.

I have a very simple solution to the problem; it is one that the city of Philadelphia enacted a long time ago. The city of Philadelphia pays the police department to have a highway patrol to patrol Interstate 95 and Interstate 76, the Schuylkill Expressway. I would ask Mrs. Durham and Mr. Ryan to get *their county commissioners to do the same in Delaware County and not ask the State to provide the money.* Thank you.

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

Mr. FATTAH. Mr. Speaker, I rise in opposition to this amendment. I think that we have a State Police Commissioner who should deploy the troopers, and I think that any increase to the budget should not carry language that restricts the use of any new staffing. The staffing should flow from the needs of the department. Thank you.

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

The following roll call was recorded:

**YEAS—93**

Angstadt	Distler	Jadlowiec	Raymond
Argall	Dorr	Johnson	Reber
Arty	Durham	Kennedy	Reinard
Barley	Fargo	Kenney	Robbins
Birmelin	Farmer	Langtry	Ryan
Black	Fischer	Leh	Saurman
Book	Flick	McClatchy	Schuler
Bowser	Foster	McVerry	Semmel
Brandt	Fox	Manmiller	Serafini
Bunt	Gallen	Merry	Sirianni
Burd	Gannon	Micozzie	Smith, B.
Burns	Geist	Miller	Smith, S. H.
Bush	Gladeck	Moehlmann	Snyder, D. W.
Carlson	Godshall	Mowery	Snyder, G.
Cessar	Gruppo	Nahill	Stairs
Chadwick	Hagarty	Noye	Taylor, E. Z.
Civera	Hasay	O'Brien	Taylor, J.
Clymer	Hayes	Perzel	Vroon
Cornell	Heckler	Phillips	Wass
DeVerter	Herman	Piccola	Weston
Davies	Hershey	Pitts	Wogan
Dempsey	Hess	Pressmann	Wright, J. L.
Dietterick	Honaman	Punt	Wright, R. C.
Dininni			

**NAYS—96**

Acosta	Dombrowski	Levdansky	Rieger
Battisto	Donatucci	Linton	Ritter
Belardi	Duffy	Livengood	Roebuck
Belfanti	Evans	Lloyd	Rudy
Billow	Fattah	Lucyk	Rybak
Blaum	Fee	McCall	Saloom
Bortner	Freeman	McHale	Seventy
Bowley	Gamble	Maine	Showers
Boyes	George	Manderino	Staback
Broujos	Gruitza	Markosek	Steighner
Caltagirone	Haluska	Mayernik	Stuban
Cappabianca	Harper	Melio	Sweet
Carn	Hayden	Michlovic	Taylor, F.
Cawley	Hughes	Morris	Tigue
Clark	Hutchinson	Mrkoncic	Trello
Cohen	Itkin	Murphy	Van Horne
Colafigliola	Jarolin	O'Donnell	Veon
Cole	Josephs	Olasz	Wambach
Corrigan	Kasunic	Oliver	Wozniak
Cowell	Kitchen	Petrone	Wright, D. R.
Coy	Kosinski	Pievsky	Yandrisevits
DeLuca	Kukovich	Pistella	
DeWeese	LaGrotta	Preston	Irvis,
Daley	Lescovitz	Richardson	Speaker
Dawida	Letterman		

**NOT VOTING—6**

Howlett	Maiale	Scheetz	Wiggins
Lashinger	Petrarca		

**EXCUSED—2**

Freind	Jackson
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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 as amended?

**PARLIAMENTARY INQUIRY**

The SPEAKER. The Chair recognizes the gentleman from Dauphin, Mr. Piccola. Why do you rise?

Mr. PICCOLA. A point of parliamentary inquiry.

The SPEAKER. What is your point?

Mr. PICCOLA. It is becoming obvious to me and I am sure it will become obvious to a lot of other members how unworkable this rule is. My inquiry is, in order to abolish the rule, would it require a written resolution or could it be done with an oral motion, and what vote would be necessary to abolish this rule?

The SPEAKER. Mr. Piccola, it is the opinion of the Chair, after a quick scan of the temporary rule, that it does not address that particular point specifically. Therefore, it would fall under the general rule 77 on suspending and changing the rules of the House. That would mean that reading from rule 77, "The existing rules of the House"—which this is one—"shall not be changed, added to, modified or deleted except by written resolution and the same approved by a majority vote of the members elected to the House by a roll call vote." So two things would have to happen: There would have to be a written resolution; then there would have to be a roll-call vote on that resolution.

Mr. PICCOLA. And it would be a constitutional majority or a simple majority?

The SPEAKER. Constitutional majority.

Mr. PICCOLA. Thank you, Mr. Speaker.

I am going to request such a resolution to be in the ready. Thank you.

**PARLIAMENTARY INQUIRY**

The SPEAKER. Why does the gentleman from Delaware, Mr. Wright, rise?

Mr. R. C. WRIGHT. Point of parliamentary inquiry, Mr. Speaker.

The SPEAKER. What is your point, Mr. Wright?

Mr. R. C. WRIGHT. Mr. Speaker, I had money included in the supplemental appropriation bill which was sent to the Governor. However, funds were vetoed from that on Friday. Our deadline for submitting amendments to the budget was Thursday. Obviously on Thursday I did not know that these funds were going to be vetoed. My question is, Mr. Speaker, how can I have those funds considered for the budget?

The SPEAKER. The Chair reads to the gentleman from line 27 on of the temporary rule: "In order to be considered, an amendment must be received by the Legislative Reference Bureau before 5 p.m. on June 9, 1988. The Committee on Appropriations for special and proper reason by majority vote may waive this deadline." So your recourse would be an appeal to the Committee on Appropriations to argue that you have special reason, and the committee, by a majority vote, could waive the deadline for your sake.

Mr. R. C. WRIGHT. Thank you, Mr. Speaker.

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

Mr. LINTON offered the following amendment No. A3112:

Amend Sec. 213, page 85, line 12, by inserting after "contracts" and for the administrative costs associated with the Office of Minority and Women Business Enterprises.

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

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Philadelphia, Mr. Linton.

Mr. LINTON. Thank you, Mr. Speaker.  
Mr. Speaker, this is in essence a technical amendment. It does not change any appropriation that is currently in the budget bill. All we are basically doing is expanding the use of a line item that in the past was restricted to minority information centers and allowing the money in there to also be used to cover administrative costs associated with the Office of Minority and Women Business Enterprises.

This is just a language change. It does not change any of the money that is appropriated in the budget.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Crawford, Mr. Merry.

Mr. MERRY. Will the maker of the amendment indicate where the money is coming from? Where are you taking the money from?

The SPEAKER. Mr. Merry, the gentleman, Mr. Linton, specified that this does not change in any way, either increase or decrease, the amount of money already allocated in the budget. What he is doing is saying that instead of doing it for just A, I also want you to do it for B, C, and D. Does that answer your question? If you wish to interrogate him, you may do that.

Mr. MERRY. That is all right. I did not hear him make that explanation. Thank you, Mr. Speaker.

The SPEAKER. He did say that.

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

The following roll call was recorded:

YEAS—170

Acosta	Dietterick	Kasunic	Punt
Angstadt	Dininni	Kennedy	Raymond
Argall	Distler	Kenney	Reber
Arty	Dombrowski	Kitchen	Reinard
Barley	Donatucci	Kosinski	Richardson
Battisto	Dorr	Kukovich	Rieger
Belardi	Duffy	LaGrotta	Ritter
Belfanti	Durham	Langtry	Robbins
Billow	Evans	Lashinger	Roebuck
Birmelin	Fargo	Leh	Rudy
Black	Farmer	Lescovitz	Ryan
Blaum	Fattah	Levdansky	Rybak
Book	Fischer	Linton	Saurman
Bortner	Flick	Livengood	Schuler
Bowley	Foster	Lloyd	Semmel
Bowser	Fox	McCall	Serafini
Boyes	Freeman	McClatchy	Showers

Brandt	Gallen	McHale	Sirianni
Bunt	Gannon	McVerry	Smith, B.
Burd	Geist	Maine	Smith, S. H.
Burns	George	Manderino	Snyder, D. W.
Bush	Gladeck	Manmiller	Snyder, G.
Caltagirone	Godshall	Markosek	Staback
Cappabianca	Gruitza	Mayernik	Stairs
Carlson	Gruppo	Melio	Steighner
Carn	Hagarty	Merry	Stuban
Cawley	Haluska	Michlovic	Sweet
Cessar	Harper	Micozzie	Taylor, E. Z.
Chadwick	Hasay	Miller	Taylor, F.
Civera	Hayden	Moehlmann	Taylor, J.
Clymer	Hayes	Morris	Van Horne
Cohen	Heckler	Mowery	Veon
Colafella	Herman	Nahill	Vroon
Cole	Hershey	Oliver	Wambach
Cornell	Hess	Perzel	Wass
Corrigan	Honaman	Petrarca	Weston
Cowell	Hughes	Phillips	Wright, D. R.
Coy	Hutchinson	Piccola	Wright, J. L.
DeLuca	Itkin	Pievsky	Wright, R. C.
DeVerter	Jadlowiec	Pistella	Yandrisevits
Daley	Jarolin	Pitts	
Davies	Johnson	Pressmann	Irvis,
Dempsey	Josephs	Preston	Speaker

NAYS—15

Broujos	Gamble	Noye	Tigue
Clark	Lucyk	Olasz	Trello
DeWeese	Mrkonic	Saloom	Wozniak
Dawida	Murphy	Seventy	

NOT VOTING—10

Fee	Maiale	Petrone	Wiggins
Howlett	O'Brien	Scheetz	Wogan
Letterman	O'Donnell		

EXCUSED—2

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

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

Mr. CLYMER offered the following amendments No. A3121:

Amend Sec. 218, page 122, line 30, by decreasing the amount of the appropriation by 4,000,000

Amend Sec. 218, page 136, line 11, by increasing the amount of the appropriation by 4,000,000

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

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

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, what I am doing here is an appropriation to add \$4 million to the child welfare programs. From 1983 to 1986 the incidence of child abuse has increased by 27 percent. We have had over 7,000 cases of serious child abuse in 1986.

Now, I am taking the money from the State general hospital appropriation. That will be decreased by \$4 million to accommodate the \$4 million in new appropriations I just mentioned.

I would ask for a positive vote. Thank you.

The SPEAKER. On the amendment, the Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the line item which the gentleman attacks by reducing it \$4 million is the State general hospital line item, and the \$4 million represents only 25 percent of the money we appropriate to that line item, which has remained rather static in support of the hospitals that the line item supports.

Mr. Speaker, I think that the General Fund budget presented by the Appropriations Committee treats the county welfare programs across the State in a proper manner. We have provided in that line item about an 8-percent increase, which is better than probably, what, two and a half times the rate of inflation.

Mr. Speaker, I would ask that we not play havoc with the State general hospitals in those areas of the State where they exist in order to provide more than the 8-percent increase, at least in this budget, that we have already provided to the county child welfare programs.

Mr. Speaker, I ask for a negative vote on the Clymer amendment.

The SPEAKER. For the second time on the amendment, the Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Just to mention, Mr. Speaker, that all of the counties would benefit from this \$4 million. The decreases in the two State hospitals are not that harmful. I do believe, as I said before, that the money is needed by the child welfare programs, and this is certainly a good way to provide them that money to curb child abuse. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, will the gentleman, Mr. Pievsky, consent to brief interrogation?

The SPEAKER. Mr. Pievsky indicates he will stand for interrogation. You may proceed, Mr. Ryan.

Mr. RYAN. Mr. Speaker, I have been advised—and I am curious as to whether or not the majority chairman of Appropriations agrees or disagrees with this—I have been advised that Governor Casey has made plans, or at least—I say made plans. I do not know what he has done to implement statements to the effect that Scranton State Hospital is earmarked for closing in the next fiscal year, as is another one of the State hospitals earmarked for closing, and it is for that reason that the \$4 million would not hurt any institution, because these institutions would be closed. Do you know if that is accurate or inaccurate?

Mr. PIEVSKY. It is my understanding, Mr. Speaker, that our experience shows that we need the money maybe even more to make the transfer, and there has been no agreement.

Mr. RYAN. Do you know if it is true that Scranton State Hospital is earmarked, if the Governor has his way, for closing? Closing, not transfer, closing.

Mr. PIEVSKY. No. Mr. Speaker, we really do not know what the timetable is, and we will not be making those decisions.

Mr. RYAN. Thank you.

The SPEAKER. The Chair recognizes the gentleman from Northumberland, Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, they said that they were going to close Ashland State General Hospital 3 years ago. It is still open; it is still running. A line-item decrease like this completely devastates the State general hospital system.

I think if these line items are to be decreased, it should happen after the State general hospitals are closed. Those funds will lapse, and next year they will be available for the budget. But until such time as these State general hospitals are closed or transferred, you are killing them by taking 20 or 25 percent of their budget out.

I ask for a "no" vote.

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

Mr. GEORGE. Thank you, Mr. Speaker.

Just this week a report was published that most hospitals in Pennsylvania are going to have difficulty because of the medicaid and medicare regulations, and fortunately, for the first time in many years these State hospitals are going to be able to prove their worth should they be able to continue to run and continue to be funded properly.

The budget as it is does not fund as properly as those of us would insist it should, but by the same token, we should not do anything to reduce this amount. This money is needed very badly for the continuance of those hospitals.

I urge a "no" vote on this amendment.

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

Miss SIRIANNI. Mr. Speaker, the Scranton State Hospital is scheduled to be demolished and made into a veterans home because it has been losing millions and millions of dollars for as long as I can remember, and I am pretty old. The Nanticoke Hospital in Luzerne County is in the process of being closed and taken over by some doctors. We are not going to need more money. They are making arrangements at the State hospital in Scranton for those people to work in other State institutions through attrition. So we do not need additional funds for those State hospitals.

I would like to advise Mr. George that the Scranton State Hospital does not treat as many indigent patients as the other three private hospitals individually do. Each individual hospital in the city of Scranton treats more indigent patients than the Scranton State Hospital does.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Jarolin.

Mr. JAROLIN. Thank you, Mr. Speaker.

The comments coming from the other side of the aisle, I believe they are not well informed as to the exact transition of these hospitals. The money that is in that budget does not reflect the closings of any hospital, and it is extremely well needed.

I urge you people to vote "no" on this amendment.



The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, very briefly, speakers who have spoken for this amendment gave some indication that they were not going to need this money in the State hospital line item, and it made it sound like there was additional money there. There is no additional money there. The State hospital line item has really been reduced in the budget before us by some \$759,000, almost three-quarters of a million dollars from what it was last year, and we still have all of the obligations we had last year to pay for.

Mr. Speaker, I ask that we not take this action and to vote in the negative.

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Centre, Mr. Herman.

Mr. HERMAN. Thank you, Mr. Speaker.

I agree with the majority leader and other Representatives who oppose this amendment. I do as well. I do not think that we in the General Assembly want to take a position of playing games with people's health care, and that is exactly what we are doing if we approve this amendment.

It also brings to light, I think, the kind of predicament we all get into when we want to support one cause, which is a very worthy cause that Representative Clymer is promoting, yet on the other hand, if I, for example, would vote for this amendment, I would be hurting my constituency, and that is why I will be more inclined to vote against it rather than for it.

But still, I think it is very important and I think the majority leader points out that over the past number of years, even before I was elected, the appropriations for State general hospitals have either been pared or held constant, and nowhere near are we funding the level of health care for these State generals that we should.

Further, some of these State general hospitals are being primed to divest either to a community board or some type of community ownership, and that money is necessary in order to continue the health care for many of the people in the area until that divestiture occurs.

So I encourage the members of this General Assembly to vote against the Clymer amendment.

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. Cawley, on the amendment.

Mr. CAWLEY. Thank you, Mr. Speaker.

I also ask for a negative vote, Mr. Speaker. The two Representatives from the city of Scranton are against the demolition of the Scranton State Hospital and so are 90 percent of the people that we represent. Even if it goes through that the hospital is scheduled to be demolished, that will not happen for at least several years, because that is how long it will take for the plans to take place for the veterans home. They already lost \$5 million; they definitely need money in that account.

I ask for a negative vote.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—75

Barley	Distler	Lashinger	Robbins
Birmelin	Dorr	Leh	Ryan
Book	Durham	McClatchy	Saurman
Bowley	Fargo	McVerry	Scheetz
Bowser	Farmer	Manmiller	Semmel
Brandt	Fischer	Markosek	Sirianni
Bunt	Flick	Mayernik	Smith, B.
Burd	Fox	Merry	Snyder, D. W.
Burns	Gladeck	Micozzie	Snyder, G.
Bush	Godshall	Miller	Stairs
Carlson	Gruppo	Moehlmann	Taylor, E. Z.
Cessar	Hayes	Nahill	Taylor, J.
Chadwick	Heckler	Noye	Vroon
Civera	Hershey	O'Brien	Wass
Clymer	Hess	Perzel	Weston
Cornell	Johnson	Piccola	Wogan
Dempsey	Kennedy	Punt	Wright, J. L.
Diatterick	Kenney	Reber	Wright, R. C.
Dininni	Langtry	Reinard	

NAYS—112

Acosta	Dawida	Kukovich	Preston
Angstadt	Dombrowski	LaGrotta	Raymond
Argall	Donatucci	Lescovitz	Richardson
Arty	Duffy	Letterman	Rieger
Battisto	Evans	Levdanský	Ritter
Belardi	Fattah	Linton	Roebuck
Belfanti	Fee	Livengood	Rudy
Billow	Foster	Lloyd	Rybak
Black	Freeman	Lucyk	Saloom
Blaum	Gamble	McCall	Schuler
Bortner	Gannon	McHale	Showers
Boyes	Geist	Maine	Smith, S. H.
Broujos	George	Manderino	Staback
Caltagirone	Gruitza	Michlovic	Steighner
Cappabianca	Haluska	Morris	Stuban
Carn	Harper	Mowery	Sweet
Cawley	Hasay	Mrkonic	Taylor, F.
Clark	Hayden	Murphy	Tigue
Cohen	Herman	O'Donnell	Trello
Colafella	Honaman	Olasz	Van Horne
Cole	Hughes	Oliver	Veon
Corrigan	Hutchinson	Petrarca	Wambach
Cowell	Itkin	Petrone	Wozniak
Coy	Jadlowiec	Phillips	Wright, D. R.
DeLuca	Jarolin	Pievsky	Yandrisevits
DeVerter	Josephs	Pistella	
DeWeese	Kasunic	Pitts	Irvis,
Daley	Kitchen	Pressmann	Speaker
Davies	Kosinski		

NOT VOTING—8

Gallen	Howlett	Melio	Seventy
Hagarty	Maiale	Serafini	Wiggins

EXCUSED—2

Freind	Jackson
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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 as amended?

Mr. BARLEY offered the following amendments No. A3135:

Amend Sec. 208, page 33, by inserting between lines 5 and 6 For research into the causes and treatment of Brucellosis.

State appropriation..... 150,000  
 Amend Sec. 209, page 41, line 29, by decreasing the amount  
 of the appropriation by  
 150,000

On the question,

Will the House agree to the amendments?

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Lancaster, Mr. Barley.

Mr. BARLEY. Mr. Speaker, this amendment, A3135, would provide funding for brucellosis vaccination in the amount of \$150,000.

This disease is presently under control. It has been under control for a number of years as the result of a \$1-per-head subsidy that was used for inoculation of calves in the dairy industry as well as the beef industry.

To insure that these animals and that this industry will remain free of this disease, this \$150,000 appropriation is needed.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, we have in the budget recognized through a line item for a diagnostic entity the need for good animal health with our rural community. But, Mr. Speaker, this particular line item reduces the DCA - the Department of Community Affairs - line item, which has already been reduced in this budget from last year, by another \$150,000 for a program of brucellosis.

Now, I do not know much about brucellosis, but the Agriculture Department tells me that Pennsylvania is considered brucellosis free, as are all of our surrounding States considered brucellosis free. It is not like we are attacking a problem that needs our immediate attention.

Mr. Speaker, because of where the money comes from and the line item already being substantially reduced, I would ask, Mr. Speaker, for a negative vote.

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

Mr. FOSTER. Mr. Speaker, I would just like to emphasize the point that I think it would be appropriate if each member would tell us where the line item is being decreased, because it would avoid the necessity for interrogation. I arose for interrogation, but the majority leader already has broached the point.

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

Mr. SAURMAN. I was at odds with the board. That has been corrected. Thank you, Mr. Speaker.

The SPEAKER. On the amendment, the Chair recognizes the minority whip.

Mr. HAYES. On the amendment, Mr. Speaker.

The appropriation question aside, just on the issue itself, it has been said that the Department of Agriculture reports that Pennsylvania is a brucellosis-free State, and that is true. However, there should be further amplification. It is brucellosis free because we vaccinate. It is no different than with many diseases which afflict humankind. Many diseases that used to visit us as human beings do not do so, but the reason being is

that we are vaccinating our young infant children, and that is the reason why we can say we are measles free or we are polio free. But if we would stop vaccinating young people for polio, polio would come back. As far as the bacteria, as far as the viruses are concerned, they are still around and about us, and it is important that we continue this animal health program.

I do not offer any observations as far as the appropriation is concerned, but brucellosis is still a disease that lurks in the animal environment, and we should continue a vaccination program.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, again, I know very little about brucellosis and whether we are spending enough or not enough in the vaccination program, but I do know that this amendment does not speak to the vaccination program; it speaks to research and writing a contract for research into brucellosis for \$150,000. I think the words of the amendment are "For research into the causes and treatment...." It is research we are talking about, not vaccination, and we have, according to the ag community's request, included an amount of money in our budget for a diagnostic commission that will make the decisions on what moneys should be spent in research for animal health.

I ask for a negative vote.

The SPEAKER. The Chair recognizes the minority whip.

Mr. HAYES. Thank you, Mr. Speaker.

The gentleman, Mr. Manderino, did not complete his statement, I do not believe, with regard to the amendment, because not only does this amendment address itself to research with the hope being that one day there will be a way of providing a brucellosis-free environment without further vaccination, but this amendment also states that this appropriation would also be for the treatment of brucellosis. It is right in the amendment, and that was the part of the amendment that I addressed myself to at the outset.

So this does strike at the problem of vaccination and making sure that the dairy industry in Pennsylvania, which is a very dominant part of our agricultural economy, continues to be a brucellosis-free animal environment.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Mr. Speaker, the gentleman is correct. The amendment does speak to treatment, but unless I read the English language incorrectly, it says "For research into the causes and treatment...." It does not say anything about vaccinating; it is research into causes and treatment.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Preston, on the amendment.

Mr. PRESTON. Thank you, Mr. Speaker.

I agree with the intent of the gentleman, Mr. Barley, as far as his amendment is concerned. However, I would ask the members to vote "no" on the amendment, mainly because he did not take it out of the Department of Agriculture. It would have been nice if he had just asked for an insertion. Instead he has to take it from somewhere else, and this money is needed elsewhere.

I had hoped that the gentleman would have drafted his amendment to apply to the Department of Agriculture so that we could support those situations that are well needed, and I would ask for a negative vote.

The SPEAKER. For the second time, the Chair recognizes the gentleman from Lancaster, Mr. Barley.

Mr. BARLEY. I would just like to say in regard to treatment, the only known treatment for this disease is vaccination, and it translates into humans in the means of undulant fever. The reason we are not very familiar with it is because we have vaccinated for a number of years and it has not gotten through the food chain, and of course, humans have been disease free of this.

So if we drop the program, as it has been dropped, the possibilities of it returning are certainly there, and for those reasons, I ask for an affirmative vote. Thank you.

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

The following roll call was recorded:

YEAS—95

Angstadt	Dininni	Jadlowiec	Reber
Argall	Distler	Johnson	Reinard
Arty	Dorr	Kennedy	Robbins
Barley	Durham	Kenney	Ryan
Birmelin	Evans	Langtry	Saurman
Black	Fargo	Lashingier	Scheetz
Book	Farmer	Leh	Schuler
Bowser	Fischer	McClatchy	Semmel
Boyes	Flick	McVerry	Serafini
Brandt	Fox	Manmiller	Sirianni
Bunt	Gallen	Merry	Smith, B.
Burd	Gannon	Micozzie	Smith, S. H.
Burns	Geist	Miller	Snyder, D. W.
Bush	Gladeck	Moehlmann	Snyder, G.
Carlson	Godshall	Mowery	Stairs
Cessar	Gruppo	Nahill	Taylor, E. Z.
Chadwick	Hagarty	Noye	Taylor, J.
Civera	Hasay	O'Brien	Vroon
Clymer	Hayes	Perzel	Wass
Cornell	Heckler	Phillips	Weston
DeVerter	Herman	Piccola	Wogan
Davies	Hershey	Pitts	Wright, J. L.
Dempsey	Hess	Punt	Wright, R. C.
Dietterick	Honaman	Raymond	

NAYS—95

Acosta	Donatucci	Levdansky	Richardson
Battisto	Duffy	Linton	Rieger
Belardi	Fattah	Livengood	Ritter
Belfanti	Fee	Lloyd	Roebuck
Billow	Foster	Lucyk	Rybak
Blaum	Freeman	McCall	Saloom
Bortner	Gamble	McHale	Showers
Bowley	George	Maine	Staback
Broujos	Gruitza	Manderino	Steighner
Caltagirone	Haluska	Markosek	Stuban
Cappabianca	Harper	Mayermik	Sweet
Carn	Hayden	Melio	Taylor, F.
Cawley	Howlett	Michlovic	Tigue
Clark	Hughes	Mrkonic	Trello
Cohen	Itkin	Murphy	Van Horne
Colafella	Jarolin	O'Donnell	Veon
Cole	Josephs	Olasz	Wambach
Corrigan	Kasunic	Oliver	Wiggins
Cowell	Kitchen	Petrarca	Wozniak
Coy	Kosinski	Petrone	Wright, D. R.
DeLuca	Kukovich	Pievsky	Yandrisevits
DeWeese	LaGrotta	Pistella	

Daley	Lescovitz	Pressmann	Irvis,
Dawida	Letterman	Preston	Speaker
Dombrowski			

NOT VOTING—5

Hutchinson	Morris	Rudy	Seventy
Maiale			

EXCUSED—2

Freind	Jackson
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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 as amended?

Mr. CLYMER offered the following amendments No. A3154:

Amend Sec. 208.1, page 41, line 10, by decreasing the amount of the appropriation by  
500,000

Amend Sec. 217, page 107, line 12, by increasing the amount of the appropriation by  
500,000

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

The SPEAKER. On the amendment, the Chair recognizes the gentleman from Bucks, Mr. Clymer.

Mr. CLYMER. Thank you, Mr. Speaker.

Mr. Speaker, the amendment that I am offering at this time will provide \$500,000 to Military Affairs to increase maintenance for the National Guard armories, for their maintenance and repair work.

Now, Mr. Speaker, there is already \$500,000 in the budget, but we have some 96 armories in the Commonwealth, and surely that is insufficient to take care of all the repair work that is necessary for these armories. Those of you who have served in the Guard or who have family and friends know of what I am speaking when I say that we need very badly to have this additional funding placed in the budget.

Mr. Speaker, the \$500,000 will come from the \$32-million Economic Revitalization Fund that has been proposed, but let me say this: This money will create jobs. It will create employment back in those districts where the money will be used.

As I said before, it is very important, it is critical at this stage that we provide that preventive maintenance so necessary to our Guard, to the National Guard and to the buildings that I just mentioned, and I would ask the General Assembly to provide a positive vote on this amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the majority leader.

Mr. MANDERINO. Thank you, Mr. Speaker.

Mr. Speaker, this line-item amendment would take \$500,000, a half a million dollars, from programs under the general category of PERF—that is an acronym—and put it into armory maintenance and repair.

First let us talk about what the PERF programs are. PERF programs are the business infrastructure development

program, the capital loan program, the renovation and revitalization programs in the Mon Valley, the Shenango Valley, and in those parts of the State that had an economic devastation. It takes it from that line item that funds industrial resource centers that we just began the program for and transfers it to armory repair and maintenance, increasing that line item to \$1 million.

Mr. Speaker, in the present budget that we are working with, we increased the armory maintenance and repair amount by some \$350,000. We ordinarily keep a \$500,000 amount there, but we used an additional \$350,000 in the current fiscal year, and that, with additional Federal funding that we were able to secure, all the roof repair, all the boiler repair has been contracted for or completed. The recommended half a million dollars that we have in the line item today we are told will more than adequately meet the ongoing maintenance efforts for these armories that Mr. Clymer is concerned about.

PERF is intended for business expansion, job growth, job retention, not for operating costs but for those particular programs.

Mr. Speaker, I ask for a negative vote on the amendment.

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

Mr. WOZNIAK. Thank you, Mr. Speaker.

I also rise to ask for a "no" vote on this amendment. Obviously we see what is occurring with the program. My distinguished colleague on the other side of the aisle saw a very large budget item and figured that he could tap into that.

The reality of this PERF is that many thousands of man-hours - cooperation between local governments, between the State, between counties, between private sectors, between financial institutions - have gone into these programs for economic growth expansion. Many hours of work have been done in the Mon Valley, the Shenango Valley, I would not be up if I would not say in Greater Johnstown, and many other places across Pennsylvania. A lot of work, many years of effort have gone into these programs, and I would hate to see by one quick stroke of a pen the efforts of all kinds of people - from the business community to the local governments to many authorities and other organizations - go down the tube because of this.

I do not doubt the integrity of the program that the gentleman is trying to fund, but I think that a negative vote from both sides of the aisle would be the right thing to do, and I would appreciate if we could go along with a negative vote. Thank you very much, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Northumberland, Mr. Belfanti, on the amendment.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, here we go again. It seems as though PERF is a very attractive line item to make deletions from, but this will only take a minute.

There is \$500,000 from Mr. Clymer; \$1.5 million from Mr. Fox; \$375,000 from Mr. Distler; \$10 million from E. Z. Taylor; \$3,800,000 from Mr. Fargo; another \$10 million from

Mrs. Taylor; \$4 million from Mr. Davies; \$1 million from Mrs. Langtry; \$1 million from Mr. Grupp; and \$8,988,000 from Mr. Freind. Thank you.

The SPEAKER. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, would the gentleman, Mr. Pievsky, stand for a brief period of interrogation?

The SPEAKER. Mr. Pievsky indicates he will so stand. You may proceed.

Mr. RYAN. Would the gentleman, Mr. Pievsky, tell the House how much money is left over in the PERF funds as of the end of this fiscal year? Anticipated to be by the end of this fiscal year. Pardon me.

Mr. PIEVSKY. Thirty-two million dollars less than last year.

Mr. RYAN. Now, you are a merchant, Mr. Pievsky, and you are used to dealing on the Boardwalk in Atlantic City perhaps. Now, you take a country boy like me and just give me a straight answer, and I would appreciate it.

Are you trying to say there is \$32 million left in that kitty right now and another \$59 million appropriated for this coming fiscal year? Pardon me; \$31 or \$32 million.

Mr. PIEVSKY. You know, there is a country boy right beside me who can answer that question.

Mr. RYAN. Is the balance as of the moment approximately \$31 or \$32 million? Totally unencumbered.

Mr. PIEVSKY. There is \$1.6 million which will be reappropriated.

Mr. RYAN. Mr. Speaker, my information is, of the \$61 million that has been appropriated, there is encumbered \$31 million and \$31.7 million totally unencumbered.

Mr. Speaker, I am going to ask our staff person to meet with yours and show these numbers prior to your giving your answer.

### PARLIAMENTARY INQUIRY

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

Mr. DAVIES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. What is the gentleman's inquiry?

Mr. DAVIES. Since the gentleman read off the amount of funds, is it permissible to redraft my amendment to other segments of the budget for the deduction portion?

The SPEAKER. The only way you can do that is to get the Appropriations Committee to waive the rule for the deadline, and the deadline has passed. If the Appropriations Committee believes you have reason and it says, yes, we will waive the deadline, then you may do so. If it refuses, then you are stuck with the deadline.

Mr. DAVIES. After I received information from staff that there was supposed to be some \$30 million lapsed—

The SPEAKER. You would have to convince the Appropriations Committee to waive the deadline.

Mr. DAVIES. Thank you, Mr. Speaker.

**PARLIAMENTARY INQUIRY**

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Gannon. Why do you rise?

Mr. GANNON. A parliamentary inquiry, Mr. Speaker.

The SPEAKER. What is the gentleman's inquiry?

Mr. GANNON. Does the temporary rule apply to an amendment that does not seek an appropriation?

The SPEAKER. No. The temporary rule, as the Chair understands it, applies to those amendments which either increase or decrease.

Mr. GANNON. Thank you, Mr. Speaker.

**REMARKS ON VOTES**

The SPEAKER. Now while we have this temporary hiatus, is there anyone who wishes to change a vote for the record? Please stand up so we may see you.

The Chair recognizes the gentleman from Montgomery, Mr. Fox.

Mr. FOX. Mr. Speaker, on SB 613 my vote should have been recorded in the negative.

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. Serafini.

Mr. SERAFINI. Mr. Speaker, on SB 613, amendments 3418 and 3442, I would like to be recorded in the negative, please.

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

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

Mr. EVANS. Mr. Speaker, I would like to make a correction on amendment 3135 to HB 2369. That should have been in the negative. Thank you, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman from Lackawanna, Mr. Belardi.

Mr. BELARDI. Mr. Speaker, is it in order to make a correction on another bill?

The SPEAKER. Yes, any correction that you wish.

Mr. BELARDI. Okay. Mr. Speaker, on HB 1340 I was away from my seat, and had I been in my seat, I would have liked to have been recorded in the affirmative.

The SPEAKER. The Chair recognizes the gentleman from Luzerne, Mr. Jarolin.

Mr. JAROLIN. Mr. Speaker, on final passage of HB 1340, I was recorded as not voting. I would like to be recorded in the affirmative. Thank you.

**CONSIDERATION OF HB 2369 CONTINUED****PARLIAMENTARY INQUIRY**

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

Mr. D. R. WRIGHT. Mr. Speaker, I do not have a correction. I do seek clarification of the Speaker's ruling with regard to amendments under the temporary rule. It is my under-

standing that all amendments come under that rule, under the deadline.

The SPEAKER. Under the deadline, yes.

Mr. D. R. WRIGHT. I believe that that was the issue that was raised.

The SPEAKER. No; the issue was whether or not an amendment which did not increase or decrease came under the rule itself.

Mr. MANDERINO. Mr. Speaker, then I understand that the rule does apply to any amendment so far as having met the deadline is concerned.

The SPEAKER. That is correct.

Mr. MANDERINO. If it did not meet the deadline, it is an improper amendment to this bill.

The SPEAKER. That is correct. The Chair has twice now answered questions on the deadline. The only way the deadline can be changed is if you argue your case to the Appropriations Committee and the Appropriations Committee waives the deadline. Other than that, the deadline obtains for everyone.

Mr. D. R. WRIGHT. Thank you for the clarification.

**REMARKS ON VOTES**

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

Mr. COLE. Mr. Speaker, I was out of my seat when SB 613 was taken. I would like to be recorded in the affirmative.

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

Mr. MICHLOVIC. Mr. Speaker, on amendment A3024 to HB 2369, I would like to be recorded in the affirmative.

**CONSIDERATION OF HB 2369 CONTINUED****PARLIAMENTARY INQUIRY CONTINUED**

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

Mr. GANNON. Mr. Speaker, if I understood the Chair correctly, the Chair has ruled that an amendment that does not call for any appropriation is not subject to the rule.

The SPEAKER. If the Chair said that, the Chair was in error. The deadline obviously obtains for any amendment to the general appropriation bill.

Mr. GANNON. And that is irrespective of whether or not it calls for an appropriation?

The SPEAKER. Yes. The only thing about the special rule is, if you offer to increase, you must offer to decrease. But as far as the deadline is concerned, as the Chair understands the rule, we are all bound by that deadline, unless it is waived by the Appropriations Committee.

Mr. GANNON. It is my understanding of the rule that it applies to amendments that increase or decrease appropriations, and if an amendment does not call for an increase or decrease in appropriation, it would not be subject to that rule, which incorporates that deadline language.

The SPEAKER. No. The Chair would have to point out to the gentleman—and this is a bit confusing but not when you read the rule—on page 2 of the temporary rule, line 27, “In order to be considered, an amendment must be received by the Legislative Reference Bureau before 5 p.m. on June 9, 1988. The Committee on Appropriations for special and proper reason by majority vote may waive this deadline.” So that includes any amendment.

Mr. GANNON. Well, Mr. Speaker, the Transport Workers Union has asked me to introduce an amendment. It does not call for an appropriation. I would like to appeal the ruling of the Chair.

The SPEAKER. Mr. Gannon, why do you not read the rule before you appeal the ruling of the Chair. The rule is very clear. Sit down and read it, and then if you want to argue with the Chair, fine.

Mr. GANNON. Mr. Speaker, I want to appeal the ruling of the Chair. That provision references appropriation bills, in my view.

The SPEAKER. Mr. Gannon, the Chair has not ruled. You have nothing to appeal.

Mr. GANNON. I appeal the ruling of the Chair that it has not ruled then.

The SPEAKER. The Chair has not ruled. Sit down.

Mr. GANNON. Well, then I am asking the Chair to rule.

The SPEAKER. Sit down. The Chair will not rule.

Mr. GANNON. I am not going to sit down. I am asking the Chair to rule.

The SPEAKER. Cut the microphone off. We are not going to listen to you. You are out of order.

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

Mr. KUKOVICH. Point of order, Mr. Speaker.

The SPEAKER. Mr. Kukovich.

Mr. KUKOVICH. I was just trying to say that the gentleman was out of order. The business before the floor of the House is the Clymer amendment.

The SPEAKER. He has been told by the Chair that he is out of order, and he is.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER. Now we will go back to the amendment.

Mr. Pievsky and Mr. Ryan, are you ready with your inter-rogatories?

Mr. RYAN. Yes, I am. I am trying to get an honest count out of the majority chairman of the Appropriations Committee.

All of our records indicate that unencumbered, unencumbered, there is \$31,700,000 in that PERF account now. Our respective staffs have been together over the past few moments, and I am wondering, if I am wrong, why is my staff off by \$30 million?

Mr. PIEVSKY. Mr. Speaker, it is evident that our staffs do not agree.

Mr. RYAN. Could you tell me why and where?

Now, Mr. Speaker, I recognize that you are not under oath, but I expect a straight answer.

Mr. PIEVSKY. Mr. Speaker, we just disagree with your numbers; that is all. It is just as simple as that.

Mr. RYAN. Could you tell me where we spent the last \$31 million out of the PERF Fund in the past couple of months?

Mr. PIEVSKY. Mr. Speaker, unencumbered and spent are two different things. Tell me where you are coming from.

Mr. RYAN. I recognize that unencumbered and spent are two different things. They could not be further apart. My question to you is, when the Governor made his speech to the General Assembly, there was a balance of unencumbered money. There was also money that was on hand but encumbered with programs. Our records reflect that there is \$31 million of unencumbered and unspent moneys in the PERF program.

Now, my problem, Mr. Speaker—I will draw you into this conversation, if I may—my problem is this: If our records show \$31 million is left in a program and the gentleman, Mr. Pievsky, is saying there is a million and some odd hundred thousands of dollars left in a program, what is that computer up there by the press corps saying that they are using to subtract from?

The SPEAKER. The Chair cannot answer that but must assume that the figures given to you by Mr. Pievsky are the figures he obtained from the computer.

Mr. RYAN. Mr. Pievsky, is the Chair accurate in its statement that the computer to your immediate left—which seems appropriate—shows \$1.5 million or whatever that amount was?

Mr. PIEVSKY. Our records show it is \$1.6 million, the balance in the fund.

Mr. RYAN. Could you tell me what this computer shows is in that fund?

Mr. PIEVSKY. It only shows what we appropriated by the bill.

Mr. RYAN. Does it not show a— I understood that the Speaker was instructing the computer operators, through their Appropriations Committees, to check the amount of money on hand. Is that inaccurate?

Mr. PIEVSKY. Just from the bill, Mr. Speaker.

Mr. RYAN. All right. I apologize. That would be accurate.

How do we find out the truth of what is left in that fund right now?

Mr. PIEVSKY. I would suggest you ask Mr. Manderino. You will get the truth.

Mr. RYAN. I am sorry. Would you repeat that?

Mr. PIEVSKY. Ask Mr. Manderino.

The SPEAKER. And ye shall know the truth.

Mr. RYAN. I have already been getting his answers through your mouth. Now I am wondering how to get the truth.

Mr. MANDERINO. That is only because you are getting the questions from Mr. Rosenstein.

Mr. RYAN. That is right. I admit it.

The SPEAKER. Now let us get back to the Clymer amendment.

On the Clymer amendment, the Chair recognizes the gentleman from Bucks, Mr. Clymer, for the second time.

Mr. CLYMER. Mr. Speaker, very briefly, if I had to put a title to this amendment, it would be "pride," bringing pride back to the Pennsylvania National Guard as we repair those buildings that need to be repaired. I would appreciate that the members really consider this important amendment, and they are the ones who know how badly these buildings need the repair work, the maintenance work, that this modest sum of \$500,000 will provide. Thank you, Mr. Speaker.

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

The following roll call was recorded:

YEAS—85

Arty	Dininni	Jadlowiec	Reinard
Barley	Distler	Johnson	Robbins
Birmelin	Dorr	Kennedy	Ryan
Black	Durham	Langtry	Saurman
Book	Fargo	Lashingner	Scheetz
Bowser	Farmer	Leh	Schuler
Boyes	Fischer	McClatchy	Semmel
Brandt	Flick	Manmiller	Sirianni
Bunt	Fox	Micozzie	Smith, B.
Burd	Gallen	Miller	Smith, S. H.
Burns	Gannon	Moehlmann	Snyder, D. W.
Bush	Geist	Mowery	Snyder, G.
Carlson	Godshall	Nahill	Stairs
Cessar	Gruppo	Noye	Taylor, E. Z.
Chadwick	Hagarty	O'Brien	Taylor, J.
Civera	Hasay	Phillips	Vroon
Clymer	Hayes	Piccola	Wass
Cornell	Heckler	Pitts	Weston
DeVertter	Herman	Punt	Wogan
Davies	Hess	Raymond	Wright, J. L.
Dempsey	Honaman	Reber	Wright, R. C.
Dietterick			

NAYS—105

Acosta	Donatucci	Levdansky	Preston
Angstadt	Duffy	Linton	Richardson
Argall	Evans	Livengood	Rieger
Battisto	Fattah	Lloyd	Ritter
Belardi	Fee	Lucyk	Roebuck
Belfanti	Foster	McCall	Rudy
Billow	Freeman	McHale	Rybak
Blaum	Gamble	McVerry	Saloom
Bortner	George	Maine	Serafini
Bowley	Gruitza	Manderino	Showers
Broujos	Haluska	Markosek	Staback
Caltagirone	Harper	Mayernik	Steighner
Cappabianca	Hayden	Melio	Stuban
Carn	Howlett	Merry	Sweet
Cawley	Hughes	Michlovic	Taylor, F.
Clark	Hutchinson	Morris	Tigue
Cohen	Itkin	Mrkonic	Trello
Colafranca	Jarolin	Murphy	Van Horne
Cole	Josephs	O'Donnell	Veon
Corrigan	Kasunic	Olasz	Wambach
Cowell	Kenney	Oliver	Wozniak
Coy	Kitchen	Perzel	Wright, D. R.
DeLuca	Kosinski	Petrarca	Yandrisevits
DeWeese	Kukovich	Petrone	
Daley	LaGrotta	Pievsky	Irvis,
Dawida	Lescovitz	Pistella	Speaker
Dombrowski	Letterman	Pressmann	

NOT VOTING—5

Gladeck	Maiale	Seventy	Wiggins
Hershey			

EXCUSED—2

Freind	Jackson
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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 as amended?

RULES COMMITTEE MEETING

The SPEAKER. There will be a Rules Committee meeting immediately to the left of the Chair.

JUDICIARY COMMITTEE MEETING

The SPEAKER. The Chair recognizes the gentleman from Greene, Mr. DeWeese.

Mr. DeWEESE. The House Judiciary Committee will meet tomorrow at lunchtime. Sandwiches will be served.

The SPEAKER. There will be no further votes taken on the floor of the House. The members are now free to leave.

Just a moment. The Chair is in error. We have an immediate—

Mr. Sweet, is there a time schedule on this? No. All right. We will do the suspension of the rules and Mr. Sweet's resolution tomorrow, at 11 o'clock; 11 o'clock tomorrow morning. Members are free to leave.

One further caution, please. Make sure you keep the amendments that are on your desks so they are not thrown away. We will not be able to redistribute all the amendments that we have already distributed. Make sure you keep the amendments. Put them someplace where you know where they are.

BILL REREPORTED FROM COMMITTEE

HB 2307, PN 3059 By Rep. MANDERINO

An Act amending the act of December 18, 1980 (P. L. 1241, No. 224), known as the "Pennsylvania Cancer Control, Prevention and Research Act," further providing for the confidentiality of cancer registry records; and extending the sunset provision of the act.

RULES.

RESOLUTIONS REPORTED FROM COMMITTEE

HR 288, PN 3361 By Rep. MANDERINO

Memorializing the Congress of the United States to amend the Commercial Motor Vehicle Safety Act of 1986 to exempt drivers of volunteer fire company vehicles and emergency vehicles from commercial licensing requirements.

RULES.

**HR 289, PN 3362**

By Rep. MANDERINO

Directing the Game and Fisheries Committee of the House of Representatives to conduct an investigation into the training of and the operational procedures used in the field by Game Commission law enforcement personnel.

RULES.

**HR 291, PN 3364**

By Rep. MANDERINO

Directing the Legislative Budget and Finance Committee to investigate the financial feasibility and costs savings potential, by eliminating duplicated duties and services, of combining the Pennsylvania Game Commission and the Pennsylvania Fish Commission to create a new independent agency to be responsible for managing the fish and wildlife resources of this Commonwealth.

RULES.

**HR 295, PN 3411**

By Rep. MANDERINO

Designating July 19, 1988, as "Ice Cream Day" and July 1988 as "Ice Cream Month" in Pennsylvania.

RULES.

**HR 296, PN 3431 (Concurrent)**

By Rep. MANDERINO

Memorializing Congress to enact H.R.4221 which would exempt employer-paid benefits, including unused sick leave and vacation leave.

RULES.

**REMARKS ON VOTE**

The SPEAKER. Why does the gentleman from Philadelphia, Mr. Taylor, rise?

Mr. J. J. TAYLOR. Are you taking corrections of the record?

The SPEAKER. The Chair will accept it.

Mr. J. J. TAYLOR. Mr. Speaker, on the concurrence vote on HB 854, my switch failed to operate, and I would like to be recorded in the negative.

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

**BILLS PASSED OVER**

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

**ADJOURNMENT**

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

Mr. HAYDEN. Mr. Speaker, I move that this House do now adjourn until Tuesday, June 14, 1988, at 11 a.m., e.d.t., in regular session, unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 7:47 p.m., e.d.t., the House adjourned.