

COMMONWEALTH OF PENNSYLVANIA

LEGISLATIVE JOURNAL

MONDAY, MAY 3, 1993

SESSION OF 1993

177TH OF THE GENERAL ASSEMBLY

No. 27

HOUSE OF REPRESENTATIVES

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

**THE SPEAKER (H. WILLIAM DeWEESE)
PRESIDING**

PRAYER

REV. CLYDE W. ROACH, Chaplain of the House of Representatives, from Harrisburg, Pennsylvania, offered the following prayer:

Let us pray:

"The Lord is my light and my salvation; whom shall I fear? The Lord is the strength of my life; of whom shall I be afraid?"

O God, in the midst of our worries and anxieties, we ask for Your peace that passes all understanding; when the burdens of life seem overwhelming, lift our eyes unto the hills from whence comes our help; and when the world is tossing me like a ship on an angry sea, speak unto us Your peace that passes all understanding. Remind us that our help comes from You, O God, who made the heavens and the earth.

And when we become restless and anxious and even unsure about what it is that is bothering us, will You not quiet us and remind us that You are in charge of the situation and that we should lean upon You and not to our own understanding.

In Your dear name we pray. Amen.

PLEDGE OF ALLEGIANCE

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

JOURNAL APPROVAL POSTPONED

The SPEAKER. Without objection, the approval of the Journal of Wednesday, April 28, 1993, will be postponed until printed. The Chair hears no objection.

JOURNAL APPROVED

The SPEAKER. However, the Journal for Monday, January 25, 1993, is in print and, without objection, will be approved.

SENATE MESSAGE

HOUSE BILL
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, returned **HB 473, PN 524**, with information that the Senate has passed the same without amendment.

SENATE MESSAGE

HOUSE AMENDMENTS
CONCURRED IN BY SENATE

The clerk of the Senate, being introduced, informed that the Senate has concurred in the amendments made by the House of Representatives to **SR 9, PN 787**.

COMMUNICATIONS FROM GOVERNOR

BILLS SIGNED BY GOVERNOR

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

APPROVAL OF HB's 115 and 907.

Commonwealth of Pennsylvania
Office of the Governor
Harrisburg

April 22, 1993

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

I have the honor to inform you that I have this day approved and signed House Bill 115, Printer's No. 467, entitled "AN ACT amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the competency of witnesses."

Robert P. Casey
Governor

Commonwealth of Pennsylvania
Office of the Governor
Harrisburg

April 22, 1993

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

I have the honor to inform you that I have this day approved and signed House Bill 907, Printer's No. 918, entitled "AN ACT providing for the observance of April 22 each year as Earth Day."

Robert P. Casey
Governor

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1463 By Representatives NICKOL and MAITLAND

An Act amending the act of June 30, 1981 (P.L.128, No.43), known as the Agricultural Area Security Law, providing for review of agricultural security areas by county planning commissions.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 3, 1993.

No. 1464 By Representatives STURLA, KUKOVICH, VEON, FAJT, VAN HORNE, FAIRCHILD, PESCI, FARGO, GORDNER, CLARK, VANCE, NYCE, ARMSTRONG, SAURMAN, BUXTON, OLASZ, MELIO, WOZNIAK, CURRY, SCHULER, ROONEY, BELARDI, PISTELLA, CAWLEY, BATTISTO, GERLACH, JAROLIN and CIVERA

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 redetermination of additional tax and interest due.

Referred to Committee on FINANCE, May 3, 1993.

No. 1465 By Representatives WOGAN, GANNON, FLICK, ROONEY, PERZEL, J. TAYLOR, LYNCH, RAYMOND, MILLER, STABACK, HENNESSEY, KING, PETRONE, MARSICO, CAWLEY, TRELLO, HESS, LAUGHLIN, OLASZ, ROBERTS, BELFANTI and CIVERA

An Act amending the act of March 11, 1971 (P.L.104, No.3), known as the Senior Citizens Rebate and Assistance Act, exempting 50% of veterans' benefits in determining income eligibility.

Referred to Committee on AGING AND YOUTH, May 3, 1993.

No. 1466 By Representatives WOGAN, CAWLEY, MELIO, BELFANTI, PETRONE, TRELLO, L. I. COHEN, BAKER, COLAFELLA, J. TAYLOR, B. SMITH, LEVDANSKY, GEIST, KENNEY, SAURMAN, SEMMEL, STERN and O'BRIEN

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, requiring secondary schools to offer American sign language as an elective course of study.

Referred to Committee on EDUCATION, May 3, 1993.

No. 1467 By Representatives WOGAN, THOMAS, J. TAYLOR, M. COHEN, O'BRIEN and KELLER

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for persons qualified to solemnize marriages.

Referred to Committee on JUDICIARY, May 3, 1993.

No. 1468 By Representatives DALEY, DeWEESE, TANGRETTI, LEDERER, BUNT, KASUNIC, LAUGHLIN, TRELLO, ROBERTS, SEMMEL, BELFANTI, ROONEY, BEBKO-JONES and TRICH

An Act requiring certain boards, commissions and departments to have senior citizen representatives.

Referred to Committee on AGING AND YOUTH, May 3, 1993.

No. 1469 By Representatives GAMBLE, WOZNIAK, SAURMAN, TIGUE, BELARDI, STAIRS, LYNCH, HUTCHINSON, GEIST, BAKER, COLAIZZO, PETRONE, HENNESSEY, TULLI, E. Z. TAYLOR, GODSHALL, STERN, TRELLO, CLARK, BROWN, HALUSKA, SATHER, LAUB, CLYMER, WOGAN, STABACK, FARGO, KING, CAWLEY, MELIO, OLASZ, LAUGHLIN and BOYES

An Act amending the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, providing for reimbursement for testing.

Referred to Committee on CONSERVATION, May 3, 1993.

No. 1470 By Representatives J. TAYLOR, KENNEY, DENT, FARGO, DeLUCA, NAILOR, CORRIGAN, FLICK, MELIO, LAUB, CESSAR, MIHALICH, SCHULER, SAURMAN, MICOZZIE, GERLACH, GEIST, FAJT, E. Z. TAYLOR, CORNELL, PETRONE, HUGHES, OLASZ and DRUCE

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing a penalty for carrying firearms in Philadelphia.

Referred to Committee on JUDICIARY, May 3, 1993.

No. 1471 By Representatives HANNA, LAWLESS, LYNCH, DALEY, SCHEETZ, PISTELLA, LAUB, CARONE, VAN HORNE, ARMSTRONG, TRICH, GERLACH, HECKLER, MICOZZIE, STEELMAN and CLARK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for school director eligibility.

Referred to Committee on EDUCATION, May 3, 1993.

No. 1472 By Representatives HANNA, COY, KREBS, RUDY, TRELLO and LLOYD

An Act amending the act of September 1, 1965 (P.L.436, No.221), known as the Pennsylvania Commercial Feed Law of 1966, further providing for definitions, licensing, fees, adulteration, inspection and penalties.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 3, 1993.

No. 1473 By Representatives PETRONE, STURLA, WOZNAK, RICHARDSON, PISTELLA, OLIVER, KUKOVICH and CAWLEY

An Act amending the act of December 31, 1965 (P.L.1257, No.511), known as The Local Tax Enabling Act, regulating limitations on rates.

Referred to Committee on LOCAL GOVERNMENT, May 3, 1993.

No. 1474 By Representatives PETRONE, BEBKO-JONES, MELIO, TRELLO, JAROLIN, LAUB, CESSAR, CURRY, J. TAYLOR, BELFANTI, D. W. SNYDER, ARMSTRONG, COY, BROWN, DEMPSEY, FAJT, GIGLIOTTI, JAMES, KENNEY, LAUGHLIN, McGEEHAN, O'BRIEN, LaGROTTA, VAN HORNE, VEON, KASUNIC, E. Z. TAYLOR, ROBINSON, WOGAN, PERZEL, OLASZ, DeLUCA, HUGHES, DONATUCCI, TULLI, PISTELLA and WILLIAMS

An Act amending the act of July 3, 1985 (P.L.164, No.45), known as the Emergency Medical Services Act, providing for recertification of emergency medical technicians and emergency medical technician-paramedics.

Referred to Committee on HEALTH AND WELFARE, May 3, 1993.

No. 1475 By Representatives MICHLOVIC, PETRONE, STURLA, ROONEY and OLASZ

An Act amending the act of May 22, 1933 (P.L.853, No.155), known as The General County Assessment Law, further providing for exemptions from taxation.

Referred to Committee on LOCAL GOVERNMENT, May 3, 1993.

No. 1476 By Representatives E. Z. TAYLOR, COWELL, SAURMAN, FARMER, PETRONE, SAYLOR, LYNCH, BAKER, GODSHALL, STERN, FAIRCHILD, BELFANTI, CLYMER, LAUGHLIN, JOSEPHS, OLASZ, SATHER, FLICK, GERLACH, MILLER, PETTIT, BROWN, FAJT, STEELMAN, O'BRIEN, ROONEY, HALUSKA, J. TAYLOR, GRUPPO, MELIO, GEIST, STABACK, LAUB, TRELLO, MERRY, CORRIGAN, SEMMEL, KING, L. I. COHEN, BUNT, LAWLESS and CLARK

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further prohibiting the use of written standardized entrance aptitude tests as factors for the admission of individuals having dyslexia.

Referred to Committee on EDUCATION, May 3, 1993.

No. 1477 By Representatives VEON and GANNON

An Act amending the act of June 29, 1953 (P.L.304, No.66), known as the Vital Statistics Law of 1953, further providing for disclosures of records to governmental agencies.

Referred to Committee on STATE GOVERNMENT, May 3, 1993.

No. 1478 By Representatives HERSHEY, PETRONE, TRUE, MELIO, LAUB and LEH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for portable emergency warning devices.

Referred to Committee on TRANSPORTATION, May 3, 1993.

No. 1479 By Representatives PHILLIPS, D. R. WRIGHT, DURHAM, JAROLIN, FAIRCHILD, CESSAR, LYNCH, MILLER, GEIST, D. W. SNYDER, BAKER, ALLEN, SEMMEL, FAJT, STERN, CLARK and CLYMER

An Act providing for dual party relay services and for telecommunication device distribution.

Referred to Committee on CONSUMER AFFAIRS, May 3, 1993.

No. 1480 By Representatives BUXTON, JOSEPHS, VEON, STABACK, STURLA, FAIRCHILD, MANDERINO, KENNEY, STISH, ARGALL, CAPPABIANCA, TIGUE, ROONEY, WOGAN, DeLUCA, RAYMOND, LAUB, KASUNIC, PRESTON, SCHEETZ, STERN, TULLI, CLYMER, JAROLIN, STEELMAN, COWELL, FAJT, BATTISTO, WAUGH, GEIST, PISTELLA, PICCOLA, WOZNAK, EGOLF, PHILLIPS and BELFANTI

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for reimbursement of all welfare benefits received by a person who simultaneously engaged in an illegal profitable activity.

Referred to Committee on JUDICIARY, May 3, 1993.

No. 1482 By Representatives FAJT, PRESTON, BELARDI, TRELLO, PISTELLA, LYNCH, JAMES, RAYMOND and KIRKLAND

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for school board meetings.

Referred to Committee on EDUCATION, May 3, 1993.

No. 1483 By Representatives FAJT, CAPPABIANCA, BELARDI, GORDNER, STISH, YEWIC, ARGALL, NYCE, WOGAN, TRELLO, PETTIT, LYNCH, WILLIAMS, ROONEY, BAKER, PISTELLA, JAMES, JAROLIN, GIGLIOTTI, L. I. COHEN, LEH, COWELL, STEIL, RAYMOND, LAWLESS, KIRKLAND and VAN HORNE

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for certain notices to municipalities by the Department of Transportation.

Referred to Committee on TRANSPORTATION, May 3, 1993.

No. 1484 By Representatives PICCOLA, ARGALL, BAKER, HERMAN, FARGO, FLEAGLE, RUBLEY, KREBS, FAIRCHILD, LEVDANSKY, DeLUCA, NICKOL, PITTS, HERSHEY, S. H. SMITH, TULLI, DEMPSEY, NAILOR, FARMER, VANCE, SAURMAN, MARSICO, WOGAN, BUSH, HUTCHINSON, M. N. WRIGHT, CLARK, HECKLER, COWELL, D. R. WRIGHT, BATTISTO, STEIL, CORNELL, CESSAR, EGOLF, GEIST, PETTIT, TRELLO, SCHEETZ, HESS, PHILLIPS, E. Z. TAYLOR, SATHER, GERLACH, RAYMOND, GODSHALL, HASAY, STERN, MASLAND, MERRY, GLADECK, LYNCH, DRUCE, HENNESSEY, ADOLPH, TOMLINSON, L. I. COHEN, D. W. SNYDER, FICHTER and PLATTS

An Act amending the act of April 9, 1929 (P.L.177, No.175), known as The Administrative Code of 1929, providing for evaluation and termination of administrative agencies; and making repeals.

Referred to Committee on STATE GOVERNMENT, May 3, 1993.

No. 1485 By Representatives FAIRCHILD, PITTS, GAMBLE, MURPHY, BUNT, LEH, ALLEN, SEMMEL, FARMER, RAYMOND, BUSH, COLAIZZO, CAWLEY, SCRIMENTI, SAURMAN, PHILLIPS, GRUPPO, SCHEETZ, M. N. WRIGHT, FAJT, BARLEY, MICOZZIE, GERLACH, GEIST, DEMPSEY, D. W. SNYDER, JADLOWIEC, HERSHEY, MERRY, FARGO, CLARK, BIRMELIN, TOMLINSON, ARMSTRONG, HASAY, DeLUCA, TULLI, S. H. SMITH, PERZEL, TANGRETTI, ADOLPH, E. Z. TAYLOR, GODSHALL, CAPPABIANCA, KENNEY, HESS, SERAFINI, VANCE, GLADECK, BROWN, NYCE, NAILOR, MAYERNIK, LAWLESS, FLICK, TRUE, FICHTER, PETTIT, MELIO, MARSICO, BAKER, HENNESSEY, LYNCH, ZUG, MILLER, PLATTS, SATHER, KING, SAYLOR, STERN and EGOLF

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, providing for spending limitations on the Commonwealth and its political subdivisions.

Referred to Committee on STATE GOVERNMENT, May 3, 1993.

No. 1486 By Representatives ARMSTRONG, FAJT, MILLER, KUKOVICH, FARGO, PETRONE, MARKOSEK, ALLEN, LAWLESS, PESCI, SAURMAN, LAUGHLIN, PETRARCA, SCHULER, HALUSKA, KENNEY, STEIGHNER, S. H. SMITH, COY, CLYMER, RUDY, LEH, WOZNAK, CIVERA, MIHALICH, SAYLOR, PHILLIPS, FLICK, EVANS, TRUE, LYNCH, ZUG,

CALTAGIRONE, PICCOLA, ADOLPH, STAIRS, STERN, CLARK, PITTS, MELIO, GODSHALL, COLAIZZO, BUSH, STISH, MASLAND, HENNESSEY, HERSHEY, SCHEETZ, DALEY, STEELMAN, BOYES, KING, GIGLIOTTI, GERLACH, BIRMELIN, BARLEY, MURPHY, GAMBLE, TRELLO, ROHRER, BAKER, NICKOL, RAYMOND, GRUPPO, EGOLF, E. Z. TAYLOR, M. N. WRIGHT, FLEAGLE, TOMLINSON, DURHAM, STRITTMATTER, RYAN, DeLUCA, MICOZZIE, McCALL, PERZEL, TIGUE, ARGALL, SEMMEL, BROWN, GEIST, ITKIN, KREBS, CARONE, HANNA, D. W. SNYDER and CORNELL

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for visitation rights and partial custody; and making repeals.

Referred to Committee on AGING AND YOUTH, May 3, 1993.

No. 1487 By Representatives B. SMITH, STEIGHNER, FARGO, PETRONE, NICKOL, CARONE, FAIRCHILD, MELIO, FLEAGLE, TRELLO, PLATTS, LAUB, MASLAND, PHILLIPS, SCHEETZ, EGOLF, STERN and MAITLAND

An Act amending Title 66 (Public Utilities) of the Pennsylvania Consolidated Statutes, providing for contingency fee agreements relating to the exercise of the right of eminent domain.

Referred to Committee on CONSUMER AFFAIRS, May 3, 1993.

No. 1488 By Representatives CESSAR and PETRONE

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, providing for the reissuance of certain inactive personal plate number and letter combinations.

Referred to Committee on TRANSPORTATION, May 3, 1993.

No. 1489 By Representatives CESSAR, MAYERNIK, FARMER and PETTIT

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for terms of members, for legislative districts and for the Legislative Reapportionment Commission.

Referred to Committee on STATE GOVERNMENT, May 3, 1993.

No. 1490 By Representatives ROONEY, MASLAND, KELLER, BUXTON, LUCYK, DERMODY, M. N. WRIGHT, RUBLEY, CIVERA, PISTELLA, O'BRIEN, BELARDI, THOMAS, TRICH, CORRIGAN and MICOZZIE

An Act amending the act of August 14, 1991 (P.L.342, No.36), known as the Lottery Fund Preservation Act, increasing the "maximum annual income"; and increasing the participant copayment.

Referred to Committee on AGING AND YOUTH, May 3, 1993.

No. 1492 By Representatives PRESTON, COWELL, GIGLIOTTI, ITKIN, McNALLY, MURPHY, PETRONE, PISTELLA, ROBINSON, ROBERTS, ARMSTRONG, MELIO, TULLI, TRELLO, TRUE, RUBLEY, COLAIZZO, LAUB, FAJT, DeLUCA, MILLER, B. SMITH, COLAFELLA, KING and JAMES

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, further providing for ineligibility for the office of school director.

Referred to Committee on EDUCATION, May 3, 1993.

No. 1493 By Representatives TRICH, STETLER, PISTELLA, DeLUCA, MERRY, KENNEY, BELARDI, ARMSTRONG, CAPPABIANCA, MANDERINO, STURLA, YEWIC, COLAIZZO, MELIO, PLATTS, GORDNER, SEMMEL, RAYMOND, FLICK and BISHOP

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing for the utilization of cash from controlled substance forfeitures.

Referred to Committee on JUDICIARY, May 3, 1993.

No. 1494 By Representatives TRICH, STETLER, PISTELLA, DeLUCA, TIGUE, MERRY, KENNEY, BELARDI, ARMSTRONG, CAPPABIANCA, YEWIC, COLAIZZO, MELIO, PLATTS, GORDNER, SEMMEL, RAYMOND, FLICK and BISHOP

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, imposing additional health and education requirements on certain assistance recipients to qualify for State-financed cost-of-living increases in assistance payments.

Referred to Committee on HEALTH AND WELFARE, May 3, 1993.

No. 1495 By Representatives TRICH, MASLAND, WOZNAK, CAPPABIANCA, DALEY, DeLUCA, BATTISTO, CARONE, STEELMAN, FAJT, FARGO, NAILOR, FLICK, MILLER, HECKLER, ARMSTRONG, MATLAND and CLARK

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for periodic payments in certain actions against health care providers.

Referred to Committee on JUDICIARY, May 3, 1993.

No. 1496 By Representatives TRICH, CAPPABIANCA, WOZNAK, DALEY, DeLUCA, BATTISTO, STEELMAN, CARONE, FAJT, FARGO, S. H. SMITH, FLICK, MILLER, HECKLER, SAURMAN and CLARK

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, providing for recovery

of noneconomic losses in certain actions against health care providers.

Referred to Committee on JUDICIARY, May 3, 1993.

No. 1497 By Representatives KUKOVICH, RICHARDSON, DeWEESE, STETLER, MIHALICH, TRELLO, PISTELLA, TRICH, FREEMAN, STEELMAN, BELFANTI, VEON, ROONEY, SURRA, STABACK, PESCI, JOSEPHS, McCALL, RAYMOND, DALEY, DeLUCA, COLAIZZO and MELIO

An Act providing for equal access to health care; requiring physician referral networks; imposing powers and duties on the Department of Health and the Department of Public Welfare; and providing for penalties.

Referred to Committee on HEALTH AND WELFARE, May 3, 1993.

No. 1498 By Representatives BATTISTO, LESCOVITZ, PISTELLA, D. W. SNYDER and MERRY

An Act amending the act of June 27, 1947 (P.L.1046, No.447), referred to as the State Tax Equalization Board Law, further providing for powers and duties of the State Tax Equalization Board, for monthly reports, for annual reports, for certification, for adjusting valuations, for subsidies, for special aid to school districts and for the common level ratio.

Referred to Committee on LOCAL GOVERNMENT, May 3, 1993.

No. 1499 By Representatives BATTISTO, LESCOVITZ, PISTELLA, D. W. SNYDER and MERRY

An Act amending the act of June 23, 1931 (P.L.932, No.317), known as The Third Class City Code, further defining "common level ratio"; further providing for board determinations in assessment appeals; providing for assessment errors and refunds; and further providing for court determinations in assessment appeals.

Referred to Committee on LOCAL GOVERNMENT, May 3, 1993.

No. 1500 By Representatives BATTISTO, LESCOVITZ, PISTELLA, D. W. SNYDER and MERRY

An Act amending the act of June 26, 1931 (P.L.1379, No.348), referred to as the Third Class County Assessment Board Law, limiting the act to counties of the second class A.

Referred to Committee on LOCAL GOVERNMENT, May 3, 1993.

No. 1501 By Representatives BATTISTO, LESCOVITZ, PISTELLA, D. W. SNYDER and MERRY

An Act amending the act of May 21, 1943 (P.L.571, No.254), known as The Fourth to Eighth Class County Assessment Law, including third class counties within the scope of the act; further providing for assessment procedures, for appeals of assessments and for the powers and duties of county commissioners and of the governing body of home rule charter counties; making editorial changes; and making repeals.

Referred to Committee on LOCAL GOVERNMENT,
May 3, 1993.

No. 1502 By Representatives WOGAN, FAJT, PICCOLA, HECKLER, BIRMELIN, GEIST, PETRONE, GLADECK, FARGO, PITTS, BELARDI, D. W. SNYDER, J. TAYLOR, KENNEY, O'BRIEN, TIGUE, SCHULER, SCHEETZ, LYNCH, MELIO, PLATTS, ARGALL, GODSHALL, TRELLO, DEMPSEY, MERRY, NYCE, DeLUCA, NAILOR, M. N. WRIGHT, FLEAGLE, SAURMAN, NICKOL, ULIANA, S. H. SMITH, FLICK, SATHER, MILLER, FARMER, EGOLF, E. Z. TAYLOR, BATTISTO, SEMMEL, KING, DENT, CLARK, CIVERA, LEH, McGEEHAN, GANNON, TANGRETTI, GERLACH, GAMBLE, MAYERNIK and CESSAR

A Joint Resolution proposing an amendment to the Constitution of the Commonwealth of Pennsylvania, further providing for certain evidence obtained under search warrants.

Referred to Committee on JUDICIARY, May 3, 1993.

No. 1503 By Representatives GEORGE, DeWEESE, FEE, STEELMAN, WOZNAK, FAIRCHILD, PESCI, STISH, CAPPABIANCA, NICKOL, TIGUE, STAIRS, LAUB, SEMMEL, McCALL, LUCYK, KASUNIC, ARMSTRONG, SCHEETZ, STABACK, M. N. WRIGHT, STERN, TRELLO, S. H. SMITH, COLAIZZO, SERAFINI, STETLER, GERLACH, WAUGH, BATTISTO, B. SMITH, HANNA, BELARDI, BARLEY, OLASZ, PHILLIPS, BELFANTI and SAURMAN

An Act amending the act of July 6, 1989 (P.L.169, No.32), known as the Storage Tank and Spill Prevention Act, further providing for underground storage tank program requirements.

Referred to Committee on CONSERVATION, May 3, 1993.

No. 1504 By Representatives GEORGE, DeWEESE, FEE, PESCI, STISH, CAPPABIANCA, LAUB, KING, McCALL, LUCYK, ARMSTRONG, STABACK, M. N. WRIGHT, STERN, TRELLO, S. H. SMITH, COLAIZZO, SERAFINI, WAUGH, BELARDI, WOZNAK, BARLEY, OLASZ, PHILLIPS, BELFANTI and SAURMAN

An Act amending the act of November 26, 1978 (P.L.1375, No.325), known as the Dam Safety and Encroachments Act, further providing for general permits.

Referred to Committee on CONSERVATION, May 3, 1993.

No. 1505 By Representatives NYCE, BOYES, TRELLO, CIVERA, CARONE, BARLEY, D. W. SNYDER, SEMMEL, KING, TRUE, MASLAND, FAIRCHILD, CESSAR, MILLER, NAILOR, ULIANA, TIGUE, MUNDY, KENNEY, SCHULER, E. Z. TAYLOR, SAURMAN, BAKER, HESS, GRUPPO, HECKLER, ARMSTRONG, FREEMAN, M. N. WRIGHT, MIHALICH, HUTCHINSON, SANTONI, GEIST, GERLACH, ROONEY, SCHEETZ,

YANDRISEVITS, HARLEY, WAUGH, PLATTS, FLICK, BROWN, STEIL, STEELMAN, BATTISTO, B. SMITH, CLARK, CLYMER, EGOLF and DRUCE

An Act amending the act of March 4, 1971 (P.L.6, No.2), known as the Tax Reform Code of 1971, providing for manufactured housing.

Referred to Committee on FINANCE, May 3, 1993.

No. 1506 By Representatives PISTELLA, DeWEESE, FLEAGLE, FARGO, LAUB, MELIO, ROONEY, DENT, TIGUE, CLARK, MASLAND, SCHEETZ, HECKLER, DALEY, MARKOSEK, D. R. WRIGHT, COLAIZZO, GIGLIOTTI, FAJT, CLYMER, NYCE, STABACK, SATHER, HERSHEY, MILLER, M. N. WRIGHT, SEMMEL, FAIRCHILD, B. SMITH, MURPHY, TANGRETTI, KING, HASAY, FLICK and D. W. SNYDER

An Act amending Title 42 (Judiciary and Judicial Procedure) of the Pennsylvania Consolidated Statutes, further providing certain immunity to individuals who provide limited volunteer medical professional care.

Referred to Committee on JUDICIARY, May 3, 1993.

No. 1507 By Representatives PISTELLA, STABACK, KUKOVICH, COLAIZZO, STURLA, PRESTON, MELIO, DeWEESE, YANDRISEVITS, BELARDI, CARN, CAPPABIANCA, MURPHY, JOSEPHS, TRELLO, FREEMAN, KENNEY and ROONEY

An Act amending the act of March 10, 1949 (P.L.30, No.14), known as the Public School Code of 1949, providing for a nonprofit school breakfast program.

Referred to Committee on EDUCATION, May 3, 1993.

No. 1508 By Representatives JOSEPHS, CARN, DONATUCCI, EVANS, OLIVER, LINTON, THOMAS, JAROLIN, PRESTON, BELARDI, VEON, PISTELLA, CLYMER, BISHOP, STURLA, FLICK, HUGHES, KIRKLAND, MANDERINO and CESSAR

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, further providing for factors to be considered for the issuance, transfer or renewal of certain licenses.

Referred to Committee on LIQUOR CONTROL, May 3, 1993.

No. 1509 By Representatives BISHOP, PESCI and TRELLO

An Act amending the act of May 3, 1933 (P.L.242, No.86), referred to as the Cosmetology Law, further providing for regulation, examination and licensing of and permits for manicurists.

Referred to Committee on PROFESSIONAL LICENSURE, May 3, 1993.

No. 1510 By Representatives BISHOP, CAPPABIANCA, NAILOR, M. N. WRIGHT, FREEMAN, GIGLIOTTI, HESS and B. SMITH

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, requiring drivers to turn on their lights whenever their windshield wipers are in operation; and imposing a penalty.

Referred to Committee on TRANSPORTATION, May 3, 1993.

No. 1511 By Representatives BISHOP, STABACK, PESCI, ROONEY, MILLER, KASUNIC, DURHAM, TRELLO, JAROLIN, DeWEESE and BELFANTI

An Act amending Title 18 (Crimes and Offenses) of the Pennsylvania Consolidated Statutes, providing for abuse of patient.

Referred to Committee on JUDICIARY, May 3, 1993.

No. 1512 By Representatives COWELL, D. R. WRIGHT, BATTISTO, MUNDY, DALEY, HALUSKA, STAIRS, E. Z. TAYLOR, TULLI, HERMAN, NYCE, RAYMOND, COY, BELARDI, COLAFELLA, KUKOVICH, PISTELLA, FLICK, MELIO, FARGO, MIHALICH, TRELLO, HANNA, CAPPABIANCA, ARGALL, JOSEPHS, CAWLEY, DeLUCA, STABACK, MILLER, ULIANA, LEVDANSKY, SEMMEL, GORDNER, KENNEY, ROONEY, PRESTON, GERLACH and CLARK

An Act reenacting the act of July 9, 1984 (P.L.676, No.145), entitled "An act establishing within the Pennsylvania Higher Education Assistance Agency Regional Computer Resource Centers and Regional Computer Resource Center boards."

Referred to Committee on EDUCATION, May 3, 1993.

No. 1513 By Representatives FARMER, CESSAR, LAUGHLIN and PETTTT

An Act authorizing the release of Project 500 restrictions imposed on certain land owned by Allegheny County, in return for the imposition of Project 500 restrictions on certain land to be acquired by Allegheny County.

Referred to Committee on STATE GOVERNMENT, May 3, 1993.

No. 1514 By Representatives OLASZ, PETRARCA, MICOZZIE, BOYES, MARKOSEK, GIGLIOTTI, MELIO, MERRY, FARGO, PESCI, CLARK, J. TAYLOR, NAILOR, COLAFELLA, DeLUCA, PRESTON, LEDERER, BELFANTI, KASUNIC, BATTISTO and DERMODY

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for the suspension of operating privileges for failure to respond to a citation.

Referred to Committee on TRANSPORTATION, May 3, 1993.

No. 1515 By Representatives B. SMITH, LLOYD, KREBS, HERSHEY, CARONE, STAIRS, BARLEY, MILLER, ARMSTRONG, TRELLO, PERZEL, JAROLIN, GEIST, STETLER, SCHEETZ, BELFANTI, MASLAND, LINTON, PITTS, D. W. SNYDER, FAIRCHILD, CESSAR, BUNT, NICKOL, SAURMAN, HECKLER, ARGALL, KING, GERLACH, HARLEY, STERN, STEIL, CIVERA and WAUGH

An Act providing for the assessment and taxation of real property subject to an agricultural conservation easement.

Referred to Committee on AGRICULTURE AND RURAL AFFAIRS, May 3, 1993.

No. 1516 By Representatives VITALI, KUKOVICH, CARONE, TANGRETTI, MASLAND, KREBS, BUXTON, TRELLO, REINARD, SCHEETZ, SCHULER, O'DONNELL and LEE

An Act reforming the legislative initiative grant process; imposing duties upon the Secretary of the Budget, the Auditor General and the Department of Community Affairs; establishing the Legislative Initiative Review Board; providing for project review, for auditing procedures, for disclosure and for unlawful practices; and providing penalties.

Referred to Committee on APPROPRIATIONS, May 3, 1993.

No. 1517 By Representatives HASAY, PETRARCA, CESSAR, CAWLEY, PESCI, MARKOSEK, CARONE, FAIRCHILD, NAILOR, PETTTT, REBER, LESCOVITZ, S. H. SMITH, WOZNAK, MELIO, MICOZZIE, GANNON, BUSH, MUNDY, SEMMEL, STABACK, McCALL, TULLI, FLICK, ARGALL, BATTISTO, FARMER, KASUNIC, LEVDANSKY, E. Z. TAYLOR, STERN, BUNT, MILLER, PHILLIPS, GERLACH, TIGUE, L. I. COHEN, ARMSTRONG, LUCYK, CIVERA and GEIST

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for penalties for littering on certain highways.

Referred to Committee on TRANSPORTATION, May 3, 1993.

HOUSE RESOLUTIONS INTRODUCED AND REFERRED

No. 82 By Representatives LAUB, TRUE, MAITLAND, MASLAND, YEWIC, ZUG, RUBLEY, M. N. WRIGHT, DENT, ARGALL, CAPPABIANCA, SAURMAN, SEMMEL, NYCE, SCHULER, GERLACH, NAILOR, DEMPSEY, BELARDI, BAKER, FARGO, GIGLIOTTI, MARSICO, TRELLO, SAYLOR, PESCI, HESS, TIGUE, E. Z. TAYLOR, CESSAR, DURHAM, ARMSTRONG, CAWLEY, PLATTS, FICHTER, HUTCHINSON, PETTTT, HARLEY, BUNT, WAUGH, ROONEY, MILLER, STERN, WILLIAMS, BLAUM,

KING, JAMES, GEIST, HERSHEY, JOSEPHS, KASUNIC, JAROLIN, L. I. COHEN, RAYMOND, CIVERA, LAUGHLIN, MELIO, GODSHALL, TOMLINSON, BROWN and OLASZ

A Resolution declaring June 1 through 7, 1993, as "Postpolio Syndrome Awareness Week" in Pennsylvania.

Referred to Committee on RULES, May 3, 1993.

No. 86 By Representatives DRUCE, REINARD, HECKLER, MELIO, TOMLINSON, CORRIGAN, STEIL, M. N. WRIGHT, CLYMER, BUNT, CORNELL, FICHTER, LAUB, L. I. COHEN, HARLEY, REBER, LAWLESS, GLADECK, GODSHALL, CURRY and SAURMAN

A Concurrent Resolution memorializing the President and Congress of the United States, the Secretary of Defense and all members of the Base Closure and Realignment Commission to delay all current realignment actions at the Naval Air Warfare Center Aircraft Division in Warminster, Pennsylvania, until all legal questions concerning the original realignment decisions of this facility are resolved and until the economic and the long-term savings issues of this facility's realignment are reconsidered and restudied.

Referred to Committee on RULES, May 3, 1993.

SENATE BILLS FOR CONCURRENCE

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

SB 218, PN 780

Referred to Committee on JUDICIARY, May 3, 1993.

SB 399, PN 422

Referred to Committee on LABOR RELATIONS, May 3, 1993.

SB 475, PN 503

Referred to Committee on LABOR RELATIONS, May 3, 1993.

SB 686, PN 1067

Referred to Committee on APPROPRIATIONS, May 3, 1993.

SB 687, PN 738

Referred to Committee on APPROPRIATIONS, May 3, 1993.

SB 688, PN 1068

Referred to Committee on APPROPRIATIONS, May 3, 1993.

SB 691, PN 742

Referred to Committee on APPROPRIATIONS, May 3, 1993.

SB 692, PN 743

Referred to Committee on APPROPRIATIONS, May 3, 1993.

SB 693, PN 744

Referred to Committee on APPROPRIATIONS, May 3, 1993.

SB 694, PN 745

Referred to Committee on APPROPRIATIONS, May 3, 1993.

SENATE RESOLUTION FOR CONCURRENCE

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

SR 48, PN 1118

Referred to Committee on RULES, May 3, 1993.

LEAVES OF ABSENCE

The SPEAKER. The Chair recognizes the Democratic secretary, Mr. Steighner, for leaves of absence.

Mr. STEIGHNER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to ask for leave for today only for the gentleman from Cambria, Mr. WOZNIAK; the gentleman from Philadelphia, Mr. RIEGER; and the gentleman from Cambria, Mr. HALUSKA.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes the Republican whip, Mr. Perzel, for leaves of absence. The gentleman, Mr. Perzel, indicates that the only Republican leave will be the gentleman, Mr. MERRY, from Crawford County for the week.

MASTER ROLL CALL

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

The following roll call was recorded:

PRESENT—197

Acosta	Fajt	Levdansky	Santoni
Adolph	Fargo	Linton	Sather
Allen	Farmer	Lloyd	Saurman
Argall	Fee	Lucyk	Saylor
Armstrong	Fichter	Lynch	Scheetz
Baker	Fleagle	Maitland	Schuler
Barley	Flick	Manderino	Scrimenti
Battisto	Freeman	Markosek	Semmel
Bebko-Jones	Gamble	Marsico	Serafini
Belardi	Gannon	Masland	Smith, B.
Belfanti	Geist	Mayernik	Smith, S. H.
Birmelin	George	McCall	Snyder, D. W.
Bishop	Gerlach	McGeehan	Staback
Blaum	Gigliotti	McNally	Stairs
Boyes	Gladeck	Melio	Steelman
Brown	Godshall	Michlovic	Steighner
Bunt	Gordner	Micozzie	Steil

Bush	Gruitza	Mihalich	Stern
Butkowitz	Gruppo	Miller	Stetler
Buxton	Hanna	Mundy	Stish
Caltagirone	Harley	Murphy	Strittmatter
Cappabianca	Hasay	Nailor	Sturla
Cam	Heckler	Nickol	Surra
Carone	Hennessey	Nyce	Tangretti
Cawley	Herman	O'Brien	Taylor, E. Z.
Cessar	Hershey	Olasz	Taylor, J.
Chadwick	Hess	Oliver	Thomas
Civera	Hughes	Perzel	Tigue
Clark	Hutchinson	Pesci	Tomlinson
Clymer	Itkin	Petrarca	Trello
Cohen, L. I.	Jadlowiec	Petrone	Trich
Cohen, M.	James	Pettit	True
Colafiglia	Jarolin	Phillips	Tulli
Colaizzo	Josephs	Piccola	Uliana
Cornell	Kaiser	Pistella	Vance
Corrigan	Kasunic	Pitts	Van Horne
Cowell	Keller	Platts	Veon
Coy	Kenney	Preston	Vitali
Curry	King	Raymond	Waugh
Daley	Kirkland	Reber	Williams
DeLuca	Krebs	Reinard	Wogan
Dempsey	Kukovich	Richardson	Wright, D. R.
Dent	LaGrotta	Ritter	Wright, M. N.
Dermody	Laub	Roberts	Yandrisevits
Donatucci	Laughlin	Robinson	Yewcic
Druce	Lawless	Rohrer	Zug
Durham	Lederer	Rooney	
Egolf	Lee	Rubley	DeWeese,
Evans	Leh	Rudy	Speaker
Fairchild	Lescovitz	Ryan	

ADDITIONS—1

Roebuck

NOT VOTING—1

O'Donnell

EXCUSED—4

Hajuska Merry Rieger Wozniak

LEAVES ADDED—2

O'Donnell Trich

LEAVES CANCELED—1

Rieger

WEST CHESTER EAST HIGH SCHOOL GIRLS SWIMMING TEAM PRESENTED

The SPEAKER. The Chair recognizes Representative Elinor Taylor for the purpose of an announcement.

Mrs. TAYLOR. Thank you very much, Mr. Speaker.

You indeed have been most generous in allowing us to recognize some of these fine young people in our districts.

It is my pleasure once again to bring before this House a group that has attained a very fine championship, and I am going to present them this morning with this citation:

WHEREAS, The Commonwealth of Pennsylvania is always proud to recognize the achievements realized by the youth of this

nation in the spirit of personal sacrifice, commitment to a goal and unity of purpose; and

WHEREAS, The West Chester East High School Girls Swimming Team captured the 1993 PIAA Class AAA Swimming Championship on March 13, 1993; and

WHEREAS, The West Chester East High School Girls Swimming Team, under the skillful guidance of Coach Craig Erb, scored an outstanding one hundred eighty points to win the 1993 team title. The team is comprised of Karen Daylor, Tanya Coyle, Kara Crombie, Sara Borst and Ingrid Gotchel.

—Chris Frey, Aimee Crombie, and Laurie Chain.

NOW THEREFORE, The House of Representatives of the Commonwealth of Pennsylvania acknowledges the stellar athleticism and exemplary sportsmanship of these swimming champions in their rise to victory; extends congratulations to the team and coaches on a thrilling season; offers best wishes for continued success in all future endeavors....

I would ask the swimming team seated at the rear of the House to please stand, and I would ask my colleagues to acknowledge this great team.

The SPEAKER. The Chair thanks the lady.

The Chair thanks the lady and welcomes the student athletes to the hall of the House.

The Chair would also like to thank the lady for maintaining her time limit. Miss Sirianni did teach me a lot.

MEMBER'S PRESENCE RECORDED

The SPEAKER. The gentleman, Mr. Roebuck's name will be added to the master roll call.

LEAVE OF ABSENCE CANCELED

The SPEAKER. Chairman Rieger of Philadelphia's name will be added to the master roll call.

GUEST INTRODUCED

The SPEAKER. The Chair would like to welcome county commissioner Glenn Anderson. Glenn, welcome to the hall of the House.

Commissioner Anderson is the guest of Representatives LaGrotta, Steighner, and Carone.

FORMER MEMBER WELCOMED

The SPEAKER. The Chair is about to recognize the caucus chairmen for purposes of calling caucuses but would like to have the attention of the House to welcome back an old member, not an old member but a former member—all of us, hopefully, will come back some day—one of the great lions of the Grand Old Party from the western part of the State, Jim "Two-Dogs" Burd. Welcome, Jim.

Jim was one of my first Republican friends, maybe one of the few I still have; I do not know, but welcome back.

DEMOCRATIC CAUCUS

The SPEAKER. The Chair recognizes the gentleman, Mr. Coy, for the purpose of an announcement.

Mr. COY. Thank you, Mr. Speaker.

I would like to call an immediate meeting of the Democratic Caucus with the anticipation that we can return to the floor at approximately 3:15; an immediate meeting of the caucus.

The SPEAKER. The Chair thanks the gentleman.

REPUBLICAN CAUCUS

The SPEAKER. The gentleman, Mr. Geist, from Blair County is recognized.

Mr. GEIST. Thank you, Mr. Speaker.

There will be a very lengthy and very important Republican caucus, and we would ask the members to report to the caucus room immediately on the recess.

The SPEAKER. The Chair thanks the gentleman.

Members are advised that we will commence to vote at 3:15.

RECESS

The SPEAKER. This House stands in recess until 3:15.

RECESS EXTENDED

The time of recess was extended until 4 p.m.; further extended until 4:30 p.m.; further extended until 5 p.m.; further extended until 5:30 p.m.

AFTER RECESS

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

COMMUNICATION**LOBBYIST LIST PRESENTED**

The SPEAKER. The Chair acknowledges receipt of a list of lobbyists who have registered under the Lobbying Registration and Regulation Act, which the clerk will file.

The following communication was submitted:

Senate of Pennsylvania

May 3, 1993

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

In compliance with Act No. 712 of the 1961 Session and Act No. 212 of the 1976 Session of the General Assembly titled the "Lobbying Registration and Regulation Act," we herewith jointly present a list containing the names and addresses of the persons who have registered from April 1, 1993 through April 30, 1993 inclusive, for the 177th Session of the General Assembly. This list also contains the names and addresses of the organizations represented by these registrants.

Respectfully submitted:
Mark R. Corrigan, Secretary
Senate of Pennsylvania

John J. Zubeck, Chief Clerk
House of Representatives

(For list, see Appendix.)

ADDITIONS AND DELETIONS OF SPONSORS

The SPEAKER. The Chair acknowledges receipt of additions and deletions for sponsorships of bills, which the clerk will file.

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

BILLS REMOVED FROM TABLE

The SPEAKER. The Chair recognizes the majority leader. Mr. ITKIN. Mr. Speaker, I move that the following bills be removed from the table and placed upon the active calendar:

HB 51;
HB 290;
HB 353;
HB 487;
HB 565;
HB 690;
HB 1009;
HB 1010;
HB 1077;
HB 1303;
HB 1390;
HB 1397;
HB 1398;
SB 60;
SB 298;
SB 323;
SB 421; and
SB 719.

On the question,

Will the House agree to the motion?

Motion was agreed to.

PARLIAMENTARY INQUIRY

Mr. RYAN. Mr. Speaker?

The SPEAKER. The gentleman, Mr. Ryan, is recognized.

Mr. RYAN. Mr. Speaker, I am not, you know, for or against this at the moment; I just have a question I would like to ask someone.

HB 1390 on page 3, my calendar is marked that that should go to Appropriations, yet it was reported to the floor.

The SPEAKER. The gentleman is advised that we are taking it off the table, then we will recommit it to the Appropriations Committee.

Mr. RYAN. I apologize to the Chair.

The SPEAKER. That is not necessary, but appreciated.

Mr. RYAN. I take my apology back.

BILLS RECOMMITTED

The SPEAKER. The Chair recognizes the majority leader. Mr. ITKIN. Mr. Speaker, I move that the following bills be recommitted to the Appropriations Committee:

- HB 51;
- HB 353;
- HB 487;
- HB 565;
- HB 690;
- HB 1009;
- HB 1010;
- HB 1077;
- HB 1303;
- HB 1390;
- HB 1397;
- HB 1398;
- SB 60; and
- SB 323.

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

BILLS REPORTED FROM COMMITTEE, CONSIDERED FIRST TIME, AND TABLED

HB 341, PN 1695 (Amended)

By Rep. BLAUM

An Act amending Title 23 (Domestic Relations) of the Pennsylvania Consolidated Statutes, further providing for involuntary termination of parental rights.

AGING AND YOUTH.

HB 830, PN 893

By Rep. BLAUM

An Act amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for leaving an unattended child in a motor vehicle.

AGING AND YOUTH.

LEAVE OF ABSENCE

The SPEAKER. The gentleman from Philadelphia, Mr. O'DONNELL, requests leave for the remainder of the day. The gentleman's name will be added to the Journal in that regard.

CALENDAR

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 343, PN 367**, entitled:

An Act amending the act of April 12, 1951 (P.L.90, No.21), known as the Liquor Code, eliminating the transfer of funds to the Enforcement Officers' Retirement Account; providing for the transfer of funds remaining in the account; and providing for the

transfer of excess funds transferred to the Enforcement Officers' Benefit Account in the State Employees' Retirement Fund.

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

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

The question is, shall the bill pass finally?

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

YEAS—173

Acosta	Evans	Lescovitz	Santoni
Allen	Fairchild	Levdansky	Sather
Argall	Fajt	Linton	Saurman
Armstrong	Farmer	Lloyd	Saylor
Baker	Fee	Lucyk	Schuler
Barley	Fichter	Manderino	Scrimenti
Battisto	Freeman	Markosek	Serafini
Bebko-Jones	Gamble	Marsico	Smith, B.
Belardi	Gannon	Masland	Smith, S. H.
Belfanti	Geist	Mayernik	Staback
Birmelin	George	McCall	Stairs
Bishop	Gerlach	McGeehan	Steelman
Blaum	Gigliotti	McNally	Steighner
Boyes	Gladeck	Melio	Steil
Brown	Godshall	Michlovic	Stern
Bunt	Gordner	Micozzie	Stetler
Bush	Gruitza	Mihalich	Stish
Butkowitz	Gruppo	Miller	Sturia
Buxton	Hanna	Mundy	Surra
Caltagirone	Harley	Murphy	Tangretti
Cappabianca	Heckler	Nailor	Taylor, E. Z.
Carn	Hennessey	Nickol	Taylor, J.
Carone	Hershey	O'Brien	Thomas
Cawley	Hess	Olasz	Tigue
Cessar	Hughes	Oliver	Tomlinson
Chadwick	Hutchinson	Pesci	Trello
Clark	Itkin	Petrarca	Trich
Clymer	James	Petrone	True
Cohen, L. I.	Jarolin	Pettit	Tulli
Cohen, M.	Josephs	Piccola	Vance
Colafella	Kaiser	Pistella	Van Horne
Colaizzo	Kasunic	Pitts	Veon
Cornell	Keller	Platts	Vitali
Corrigan	Kenney	Preston	Waugh
Cowell	King	Reber	Williams
Coy	Kirkland	Richardson	Wogan
Curry	Krebs	Rieger	Wright, D. R.
Daley	Kukovich	Ritter	Wright, M. N.
DeLuca	LaGrotta	Roberts	Yandrisevits
Dempsey	Laub	Robinson	Yewcic
Dermody	Laughlin	Roebuck	
Donatucci	Lawless	Rooney	DeWeese,
Druce	Lederer	Rubley	Speaker
Durham	Lee	Rudy	

NAYS—18

Civera	Jadlowiec	Raymond	Snyder, D. W.
Dent	Lynch	Reinard	Strittmatter
Fargo	Nyce	Rohrer	Uliana
Hasay	Perzel	Ryan	Zug
Herman	Phillips		

NOT VOTING—8

Adolph Egolf	Fleagle Flick	Leh Maitland	Scheetz Semmel
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EXCUSED—4

Haluska	Merry	O'Donnell	Wozniak
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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 present the same to the Senate for concurrence.

FILMING PERMISSION

The SPEAKER. Members of the House are notified that Christina Etshied and Tom Herdman of the Democratic broadcasting team will be filming with audio on the floor of the House during the proceedings of HB 343, HB 450, and bills concerning welfare reform.

BILLS ON THIRD CONSIDERATION CONTINUED

The House proceeded to third consideration of **HB 41, PN 51**, entitled:

An Act amending the act of July 2, 1984 (P.L.561, No.112), known as the Pennsylvania Conservation Corps Act, further providing for definitions, for duties of the Secretary of Labor and Industry, for projects, for eligibility for program, for compensation, for supervisors, for appropriations and for expiration of the Pennsylvania Conservation Corps and the act; making a repeal; and making editorial changes.

On the question,

Will the House agree to the bill on third consideration?

Mr. ARMSTRONG offered the following amendments No. A0427:

Amend Sec. 3 (Sec. 5), page 5, line 30, by inserting after "agencies"

which are qualified under section 501(c)(3) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 501(c)(3))

Amend Sec. 3 (Sec. 5), page 6, line 19, by inserting after "organizations"

which are qualified under section 501(c)(3) of the Internal Revenue Code of 1986 (Public Law 99-514, 26 U.S.C. § 501(c)(3))

On the question,

Will the House agree to the amendments?

The SPEAKER. On the question, the Chair recognizes Mr. Armstrong.

Mr. ARMSTRONG. Mr. Speaker, this amendment, I believe, has the support from the prime sponsor of the bill. I would appreciate your support of it. It basically clarifies the nonprofit organizations as having to be 501(c)(3) corporations.

I would appreciate your affirmative vote. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes Representative Lloyd.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, the amendment is agreed to. I urge an affirmative vote.

The SPEAKER. The Chair thanks the gentleman.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—195

Acosta	Farmer	Linton	Ryan
Allen	Fee	Lloyd	Santoni
Argall	Fichter	Lucyk	Sather
Armstrong	Fleagle	Lynch	Saurman
Baker	Flick	Maitland	Saylor
Battisto	Freeman	Manderino	Scheetz
Bebko-Jones	Gamble	Markosek	Schuler
Belardi	Gannon	Marsico	Scrimenti
Belfanti	Geist	Masland	Semmel
Birmelin	George	Mayernik	Serafini
Bishop	Gerlach	McCall	Smith, B.
Blaum	Gigliotti	McGeehan	Smith, S. H.
Boyes	Gladeck	McNally	Snyder, D. W.
Brown	Godshall	Melio	Staback
Bunt	Gordner	Michlovic	Stairs
Bush	Gruitza	Mihalich	Steelman
Butkovitz	Gruppo	Miller	Steighner
Buxton	Hanna	Mundy	Steil
Caltagirone	Harley	Murphy	Stern
Cappabianca	Hasay	Nailor	Stetler
Carn	Heckler	Nickol	Stish
Carone	Hennessey	Nyce	Strittmatter
Cawley	Herman	O'Brien	Sturla
Cessar	Hershey	Olasz	Surra
Chadwick	Hess	Oliver	Tangretti
Civera	Hughes	Perzel	Taylor, E. Z.
Clark	Hutchinson	Pesci	Taylor, J.
Clymer	Itkin	Petrarca	Thomas
Cohen, L. I.	Jadlowiec	Petrone	Tigue
Cohen, M.	James	Pettit	Tomlinson
Colafella	Jarolin	Phillips	Trello
Colaizzo	Josephs	Piccola	Trich
Cornell	Kaiser	Pistella	True
Corrigan	Kasunic	Pitts	Tulli
Cowell	Keller	Platts	Uliana
Coy	Kenney	Preston	Vance
Curry	King	Raymond	Van Horne
Daley	Kirkland	Reber	Veon
DeLuca	Krebs	Reinard	Vitali
Dempsey	Kukovich	Richardson	Waugh
Dent	LaGrotta	Rieger	Williams
Dermody	Laub	Ritter	Wogan
Donatucci	Laughlin	Roberts	Wright, D. R.
Druce	Lawless	Robinson	Yandrisevits
Durham	Lederer	Roebuck	Yewcic
Egolf	Lee	Rohrer	Zug
Evans	Leh	Rooney	
Fairchild	Lescovitz	Rubley	DeWeese,
Fajt	Levdansky	Rudy	Speaker
Fargo			

NAYS—0

NOT VOTING—4

Adolph Barley Micozzie Wright, M. N.

EXCUSED—4

Haluska Merry O'Donnell Wozniak

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

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

Bill as amended was agreed to.

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

The question is, shall the bill pass finally?

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

YEAS—197

Acosta	Fajt	Linton	Ryan
Adolph	Fargo	Lloyd	Santoni
Allen	Farmer	Lucyk	Sather
Argall	Fee	Lynch	Saurman
Armstrong	Fichter	Maitland	Saylor
Baker	Fleagle	Manderino	Scheetz
Barley	Flick	Markosek	Schuler
Battisto	Freeman	Marsico	Scrimenti
Bebko-Jones	Gamble	Masland	Semmel
Belardi	Gannon	Mayernik	Serafini
Belfanti	Geist	McCall	Smith, B.
Birmelin	George	McGeehan	Smith, S. H.
Bishop	Gerlach	McNally	Snyder, D. W.
Blaum	Gigliotti	Melio	Staback
Boyes	Gladeck	Michlovic	Stairs
Brown	Godshall	Micozzie	Steelman
Bunt	Gordner	Mihalich	Steighner
Bush	Gruitza	Miller	Steil
Butkowitz	Gruppo	Mundy	Stern
Buxton	Hanna	Murphy	Stetler
Caltagirone	Harley	Nailor	Stish
Cappabianca	Hasay	Nickol	Strittmatter
Carn	Heckler	Nyce	Sturla
Carone	Hennessey	O'Brien	Surra
Cawley	Herman	Olasz	Tangretti
Cessar	Hershey	Oliver	Taylor, E. Z.
Chadwick	Hess	Perzel	Taylor, J.
Civera	Hughes	Pesci	Thomas
Clark	Hutchinson	Petrarca	Tigue
Clymer	Itkin	Petrone	Tomlinson
Cohen, L. I.	Jadlowiec	Pettit	Trello
Cohen, M.	James	Phillips	Trich
Colaifella	Jarolin	Piccola	True
Colaizzo	Josephs	Pistella	Tulli
Cornell	Kaiser	Pitts	Uliana
Corrigan	Kasunic	Platts	Vance
Cowell	Keller	Preston	Van Horne
Coy	Kenney	Raymond	Veon
Curry	King	Reber	Vitali
Daley	Kirkland	Reinard	Waugh
DeLuca	Krebs	Richardson	Williams
Dempsey	Kukovich	Rieger	Wogan
Dent	LaGrotta	Ritter	Wright, D. R.
Dermody	Laub	Roberts	Yandrisevits
Donatucci	Laughlin	Robinson	Yewcic
Druce	Lawless	Roebuck	Zug

Durham Lederer Rohrer
Egolf Lee Rooney DeWeese,
Evans Leh Rubley Speaker
Fairchild Lescovitz Rudy

NAYS—0

NOT VOTING—2

Levdansky Wright, M. N.

EXCUSED—4

Haluska Merry O'Donnell Wozniak

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.

RESOLUTION

Mr. BLAUM called up **HR 68, PN 1394**, entitled:

A Resolution directing the Legislative Budget and Finance Committee to conduct a study evaluating the effectiveness of pregnant and parenting teen programs and to make recommendations to the House of Representatives.

On the question,
Will the House adopt the resolution?

Mr. S. H. SMITH offered the following amendment No. A1204:

Amend Third Resolve Clause, page 2, line 30; page 3, line 1, by striking out "December" in line 30, page 2, all of line 1, page 3 and inserting
April 29, 1994.

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

The SPEAKER. On the question, the Chair recognizes the gentleman, Mr. Smith.

Mr. S. H. SMITH. Mr. Speaker, thank you.

I do not believe there is any controversy with this amendment. It simply extends the date for which time the Legislative Budget and Finance Committee would make their report. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes Representative Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, this amendment is agreed to.

The SPEAKER. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—199

Acosta	Fargo	Linton	Ryan
Adolph	Farmer	Lloyd	Santoni

Allen	Fee	Lucyk	Sather
Argall	Fichter	Lynch	Saurman
Armstrong	Fleagle	Maitland	Saylor
Baker	Flick	Manderino	Scheetz
Barley	Freeman	Markosek	Schuler
Battisto	Gamble	Marsico	Scrimenti
Bebko-Jones	Gannon	Masland	Semmel
Belardi	Geist	Mayernik	Serafini
Belfanti	George	McCall	Smith, B.
Birmelin	Gerlach	McGeehan	Smith, S. H.
Bishop	Gigliotti	McNally	Snyder, D. W.
Blaum	Gladeck	Melio	Staback
Boyes	Godshall	Michlovic	Stairs
Brown	Gordner	Micozzie	Steelman
Bunt	Gruitza	Mihalich	Steighner
Bush	Gruppo	Miller	Steil
Butkovitz	Hanna	Mundy	Stern
Buxton	Harley	Murphy	Stetler
Caltagirone	Hasay	Nailor	Stish
Cappabianca	Heckler	Nickol	Strittmatter
Carn	Hennessey	Nyce	Sturla
Carone	Herman	O'Brien	Surra
Cawley	Hershey	Olasz	Tangretti
Cessar	Hess	Oliver	Taylor, E. Z.
Chadwick	Hughes	Perzel	Taylor, J.
Civera	Hutchinson	Pesci	Thomas
Clark	Itkin	Petrarca	Tigue
Clymer	Jadlowiec	Petrone	Tomlinson
Cohen, L. I.	James	Pettit	Trello
Cohen, M.	Jarolin	Phillips	Trich
Colaella	Josephs	Piccola	True
Colaizzo	Kaiser	Pistella	Tulli
Cornell	Kasunic	Pitts	Uliana
Corrigan	Keller	Platts	Vance
Cowell	Kenney	Preston	Van Horne
Coy	King	Raymond	Veon
Curry	Kirkland	Reber	Vitali
Daley	Krebs	Reinard	Waugh
DeLuca	Kukovich	Richardson	Williams
Dempsey	LaGrotta	Rieger	Wogan
Dent	Laub	Ritter	Wright, D. R.
Dermody	Laughlin	Roberts	Wright, M. N.
Donatucci	Lawless	Robinson	Yandrisevits
Druce	Lederer	Roebuck	Yewcic
Durham	Lee	Rohrer	Zug
Egolf	Leh	Rooney	
Evans	Lescovitz	Rubley	DeWeese,
Fairchild	Levdansky	Rudy	Speaker
Fajt			

NAYS—0

NOT VOTING—0

EXCUSED—4

Haluska	Merry	O'Donnell	Wozniak
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The question was determined in the affirmative, and the amendment was agreed to.

On the question,
Will the House adopt the resolution as amended?

The following roll call was recorded:

YEAS—198

Acosta	Fajt	Linton	Ryan
Adolph	Fargo	Lloyd	Santoni

Allen	Farmer	Lucyk	Sather
Argall	Fee	Lynch	Saurman
Armstrong	Fichter	Maitland	Saylor
Baker	Fleagle	Manderino	Scheetz
Barley	Flick	Markosek	Schuler
Battisto	Freeman	Marsico	Scrimenti
Bebko-Jones	Gamble	Masland	Semmel
Belardi	Gannon	Mayernik	Serafini
Belfanti	Geist	McCall	Smith, B.
Birmelin	George	McGeehan	Smith, S. H.
Bishop	Gerlach	McNally	Snyder, D. W.
Blaum	Gigliotti	Melio	Staback
Boyes	Gladeck	Michlovic	Stairs
Brown	Godshall	Micozzie	Steelman
Bunt	Gordner	Mihalich	Steighner
Bush	Gruitza	Miller	Steil
Butkovitz	Gruppo	Mundy	Stern
Buxton	Hanna	Murphy	Stetler
Caltagirone	Harley	Nailor	Stish
Cappabianca	Hasay	Nickol	Strittmatter
Carn	Heckler	Nyce	Sturla
Carone	Hennessey	O'Brien	Surra
Cawley	Herman	Olasz	Tangretti
Cessar	Hershey	Oliver	Taylor, E. Z.
Chadwick	Hess	Perzel	Taylor, J.
Civera	Hughes	Pesci	Thomas
Clark	Hutchinson	Petrarca	Tigue
Clymer	Itkin	Petrone	Tomlinson
Cohen, L. I.	Jadlowiec	Pettit	Trello
Cohen, M.	James	Phillips	Trich
Colaella	Jarolin	Piccola	True
Colaizzo	Josephs	Pistella	Tulli
Cornell	Kaiser	Pitts	Uliana
Corrigan	Kasunic	Platts	Vance
Cowell	Keller	Preston	Van Horne
Coy	Kenney	Raymond	Veon
Curry	King	Reber	Vitali
Daley	Kirkland	Reinard	Waugh
DeLuca	Krebs	Richardson	Williams
Dempsey	LaGrotta	Rieger	Wogan
Dent	Laub	Ritter	Wright, D. R.
Dermody	Laughlin	Roberts	Wright, M. N.
Donatucci	Lawless	Robinson	Yandrisevits
Druce	Lederer	Roebuck	Yewcic
Durham	Lee	Rohrer	Zug
Egolf	Leh	Rooney	
Evans	Lescovitz	Rubley	DeWeese,
Fairchild	Levdansky	Rudy	Speaker

NAYS—0

NOT VOTING—1

Kukovich

EXCUSED—4

Haluska	Merry	O'Donnell	Wozniak
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The question was determined in the affirmative, and the resolution as amended was adopted.

CONDOLENCE RESOLUTION

The SPEAKER. We are about to take up a condolence resolution on the death of a former member.

The Sergeants at Arms will close the doors of the House. Members will please take their seats.

The clerk will read the condolence resolution on the passing of a former member.

The following resolution was read:

COMMONWEALTH OF PENNSYLVANIA
THE HOUSE OF REPRESENTATIVES

RESOLUTION

WHEREAS, Robert J. Cordier of Scranton passed away on April 7, 1993 at the age of ninety-four; and

WHEREAS, Mr. Cordier distinguished himself in politics and in banking for over five decades. He served with the Pennsylvania House of Representatives from 1930 to 1948. Among his accomplishments while in office were the state's first old age assistance act in 1931, procuring funds for state Route 307, civil service refinements for fire fighters and police officers; and a tenure act for teachers. Mr. Cordier also sponsored an anti-Red bill, an early piece of Cold War legislation which provided for dismissal of teachers and government workers who advocated the overthrow of the government by violence. During his time in the state House, he was vice chairman of the House Banking Committee. His distinguished career in banking spanned forty years and included service with Third National, Scranton National and First National Banks, retiring in 1964. A United States Army veteran, Mr. Cordier was a valued member of the Boy Scouts of America, the American Society of Applied Psychology, POS of A, Knights of Pythias, and the Scranton Chamber of Commerce; now therefore be it

RESOLVED, That the House of Representatives of the Commonwealth of Pennsylvania note with deep regret the passing of Robert J. Cordier who lived his life in a way which greatly benefited his family, his community and this Commonwealth; express heartfelt condolences to his sons, Dayton, Robert Jr., Richard and James; and daughter, Mary Minicozzi; and be it further

RESOLVED, That a copy of this resolution be transmitted to The Family of Robert J. Cordier.

We hereby certify that the foregoing is an exact copy of a resolution introduced in the House of Representatives by the Honorable Fred Belardi and unanimously adopted by the House of Representatives.

H. William DeWeese
Speaker of the
House of Representatives
ATTEST:
John J. Zubeck
Chief Clerk of the
House of Representatives

On the question,
Will the House adopt the resolution?

The SPEAKER. Those in favor of the resolution will rise and remain standing as a mark of respect.

(Whereupon, the members of the House and all visitors stood in a moment of silence in solemn respect to the memory of the Honorable Robert J. Cordier.)

The SPEAKER. The resolution has been unanimously adopted.

The Sergeants at Arms will open the doors of the House.

HOUSE SCHEDULE

The SPEAKER. The Chair recognizes the majority leader, Mr. Itkin, from Allegheny County for the purpose of announcing this evening's schedule. The majority leader is recognized.

Mr. ITKIN. Mr. Speaker, at this time I am going to request that the House go into recess for the period of an hour and a half, to come back at 7:30. The purpose of the recess is to go out to dinner. When we return to the floor, it is my intention to keep the House in session until 11 p.m. At that time, depending upon the number of amendments still to be considered, we will make a determination as to whether to continue to vote further into the evening or to adjourn at that time until tomorrow.

So what is definite is, we will recess at this time until 7:30 and we will, at the minimum, work this evening until 11 o'clock.

VOTE CORRECTION

The SPEAKER. The gentleman, Mr. Leh, is recognized.

Mr. LEH. Mr. Speaker, would it be appropriate to correct the record at this time?

On the final passage of HB 343, I was recorded as not voting. I would like to be recorded in the negative.

The SPEAKER. The Chair thanks the gentleman, and his remarks will be spread across the Journal.

Mr. LEH. Thank you.

BILL SIGNED BY SPEAKER

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

HB 473, PN 524

An Act amending the act of December 5, 1972 (P.L.1280, No.284), known as the Pennsylvania Securities Act of 1972, making it unlawful to act as an associated person unless registered; establishing an exemption from registration for associated persons; revising certain exemptions for transactions in securities; and authorizing imposition of monetary assessments.

VOTE CORRECTIONS

The SPEAKER. The gentleman, Mr. Flick, is recognized.

Mr. FLICK. Mr. Speaker, to correct the record.

On final passage of HB 343, my vote was not recorded. I would like to be recorded in the negative.

The SPEAKER. The Chair thanks the gentleman, and Mr. Flick's comments will be spread across the record.

The gentleman, Mr. Fleagle, is recognized.

Mr. FLEAGLE. Thank you, Mr. Speaker.

To correct the record.

On final passage of HB 343, I was recorded as not voting. I would like to be recorded as voting in the affirmative.

The SPEAKER. Representative Fleagle's comments will be spread across the record. The Chair thanks the gentleman.

Colonel Egolf is recognized, from Perry County.

Mr. EGOLF. Thank you, Mr. Speaker.

On HB 343, I would like to be recorded in the negative.

The SPEAKER. The Chair thanks the gentleman. His remarks will be spread across the record.

The gentleman from Adams County, Mr. Maitland, is recognized.

Mr. MAITLAND. Thank you, Mr. Speaker.

On HB 343, I would like to be recorded in the negative. Thank you.

The SPEAKER. The gentleman's remarks will be spread across the record. The Chair thanks the gentleman.

The gentleman, Mr. Semmel, is recognized.

Mr. SEMMEL. Thank you, Mr. Speaker.

On HB 343, I was recorded as not voted. I want to be recorded in the negative.

The SPEAKER. The Chair thanks the gentleman, and his remarks will be put into the Journal.

The gentleman, Mr. Matthew Wright, is recognized.

Mr. M. N. WRIGHT. Thank you, Mr. Speaker.

I was inadvertently not recorded on HB 41, final passage. I would like to be recorded in the affirmative.

The SPEAKER. The Chair thanks the gentleman, and his affirmative vote will be recorded in the Journal.

COMMUNICATION FROM AUDITOR GENERAL

The SPEAKER. The Chair would like to acknowledge the receipt of a certificate from the Auditor General pursuant to Article VIII, section 7, of the Constitution of Pennsylvania.

The following communication was submitted:

Commonwealth of Pennsylvania
Office of the Auditor General
Harrisburg, PA 17120-0018

April 28, 1993

The Honorable H. William DeWeese
Speaker of the House
139 Main Capitol Building
Harrisburg, Pennsylvania 17120

Dear Speaker DeWeese:

In accordance with the provisions of Article VIII, Section 7 of the Constitution of Pennsylvania and Section 1604-B of The Fiscal Code, as amended, the Governor has requested a certificate relevant to the settlement for the general obligation bond sale of April 14, 1993.

A duplicate original of my certificate is enclosed.

Sincerely,
Barbara Hafer
Auditor General

BH:lmj
Enclosure

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

RECESS

The SPEAKER. This House stands in recess until 7:30 p.m.

AFTER RECESS

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

THE SPEAKER PRO TEMPORE (GREGORY C. FAJT) PRESIDING

BILLS ON SECOND CONSIDERATION

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

HB 290, PN 1628; SB 298, PN 1149; SB 421, PN 1049; and SB 719, PN 786.

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the majority leader.

Mr. ITKIN. Mr. Speaker, I move that the rules of the House be suspended to consider HR's 89 and 90.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—198

Acosta	Fargo	Linton	Ryan
Adolph	Farmer	Lloyd	Santoni
Allen	Fee	Lucyk	Sather
Argall	Fichter	Lynch	Saurman
Armstrong	Fleagle	Maitland	Saylor
Baker	Flick	Manderino	Scheetz
Barley	Freeman	Markosek	Schuler
Battisto	Gamble	Marsico	Scrimenti
Bebko-Jones	Gannon	Masland	Semmel
Belardi	Geist	Mayermik	Serafini
Belfanti	George	McCall	Smith, B.
Birmelin	Gerlach	McGeehan	Smith, S. H.
Bishop	Gigliotti	McNally	Snyder, D. W.
Blaum	Gladeck	Melio	Staback
Boyes	Godshall	Michlovic	Stairs
Brown	Gordner	Micozzie	Steelman
Bunt	Gruitza	Mihalich	Steighner
Bush	Gruppo	Miller	Steil
Butkovitz	Hanna	Mundy	Stern
Buxton	Harley	Murphy	Stetler
Callagirone	Hasay	Nailor	Stish
Cappabianca	Heckler	Nickol	Strittmatter
Carn	Hennessey	Nyce	Sturla
Carone	Herman	O'Brien	Surra
Cawley	Hershey	Olasz	Tangretti
Cessar	Hess	Oliver	Taylor, E. Z.
Chadwick	Hughes	Perzel	Taylor, J.
Civera	Hutchinson	Pesci	Thomas
Clark	Itkin	Petrarca	Tigue
Clymer	Jadlowiec	Petrone	Tomlinson
Cohen, L. I.	James	Pettit	Trello
Cohen, M.	Jarolin	Phillips	Trich
Colafigliola	Josephs	Piccola	True
Colaizzo	Kaiser	Pistella	Tulli
Cornell	Kasunic	Pitts	Uliana
Corrigan	Keller	Platts	Vance
Cowell	Kenney	Preston	Van Horne
Coy	King	Raymond	Veon
Curry	Kirkland	Reber	Vitali
Daley	Krebs	Reinard	Waugh
DeLuca	Kukovich	Richardson	Williams
Dempsey	LaGrotta	Rieger	Wogan

Dent	Laub	Ritter	Wright, D. R.
Dermody	Laughlin	Roberts	Wright, M. N.
Donatucci	Lawless	Robinson	Yandrisevits
Druce	Lederer	Roebuck	Yewcic
Durham	Lee	Rohrer	Zug
Egolf	Leh	Rooney	
Evans	Lescovitz	Rubley	DeWeese,
Fajt	Levdansky	Rudy	Speaker

NAYS—0

NOT VOTING—1

Fairchild

EXCUSED—4

Haluska	Merry	O'Donnell	Wozniak
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A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, for the benefit of our members, these two resolutions are both resolutions sponsored by our caucus, I believe. One deals with naming "Covered Bridge Week" and the other deals with designating this week or next week as "Nurses Week." There is really no substance to them other than the designation of memorial-type weeks or ceremonial-type.

RESOLUTIONS

The SPEAKER pro tempore. The gentleman, Mr. Reinard, wishes to call up HR 89.

The following resolution was read:

House Resolution No. 89

A RESOLUTION

Declaring the week of May 9 through 16, 1993, as "Covered Bridge Week" in Pennsylvania.

WHEREAS, The covered bridge, a timber-truss structure carrying a roadway over a river, stream or other obstacle, is popular in art and folklore; and

WHEREAS, The covered bridge is also significant in the history of engineering; and

WHEREAS, The first long covered bridge in the United States was constructed in 1806 over the Schuylkill River at Philadelphia. The bridge had a center span of 180 feet; and

WHEREAS, This Commonwealth's covered bridges delight its residents and attract tourists to Pennsylvania; and

WHEREAS, A period should be designated to support and promote interest in the preservation of the historic covered bridges; therefore be it

RESOLVED, That the House of Representatives declare May 9 through 16, 1993, as "Covered Bridge Week" in Pennsylvania.

Roy Reinard
David J. Steil
Thomas W. Druce
David W. Heckler
Robert M. Tomlinson

Paul I. Clymer
Matthew N. Wright
Thomas C. Corrigan, Sr.
Anthony J. Melio

On the question,
Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

Acosta	Fargo	Linton	Ryan
Adolph	Farmer	Lloyd	Santoni
Allen	Fee	Lucyk	Sather
Argall	Fichter	Lynch	Saurman
Armstrong	Fleagle	Maitland	Saylor
Baker	Flick	Manderino	Scheetz
Barley	Freeman	Markosek	Schuler
Battisto	Gamble	Marsico	Scrimenti
Bebko-Jones	Gannon	Masland	Semmel
Belardi	Geist	Mayernik	Serafini
Belfanti	George	McCall	Smith, B.
Birmelin	Gerlach	McGeehan	Smith, S. H.
Bishop	Gigliotti	McNally	Snyder, D. W.
Blaum	Gladeck	Melio	Staback
Boyes	Godshall	Michlovic	Stairs
Brown	Gordner	Micozzie	Steelman
Bunt	Gruitza	Mihalich	Steighner
Bush	Gruppo	Miller	Steil
Butkovitz	Hanna	Mundy	Stern
Buxton	Harley	Murphy	Stetler
Caltagirone	Hasay	Nailor	Stish
Cappabianca	Heckler	Nickol	Strittmatter
Carn	Hennessey	Nyce	Sturla
Carone	Herman	O'Brien	Surra
Cawley	Hershey	Olasz	Tangretti
Cessar	Hess	Oliver	Taylor, E. Z.
Chadwick	Hughes	Perzel	Taylor, J.
Civera	Hutchinson	Pesci	Thomas
Clark	Itkin	Petrarca	Tigue
Clymer	Jadlowiec	Petrone	Tomlinson
Cohen, L. I.	James	Pettit	Trello
Cohen, M.	Jarolin	Phillips	Trich
Colafella	Josephs	Piccola	True
Colaizzo	Kaiser	Pistella	Tulli
Cornell	Kasunic	Pitts	Uliana
Corrigan	Keller	Platts	Vance
Cowell	Kenney	Preston	Van Home
Coy	King	Raymond	Veon
Curry	Kirkland	Reber	Vitali
Daley	Krebs	Reinard	Waugh
DeLuca	Kukovich	Richardson	Williams
Dempsey	LaGrotta	Rieger	Wogan
Dent	Laub	Ritter	Wright, D. R.
Dermody	Laughlin	Roberts	Wright, M. N.
Donatucci	Lawless	Robinson	Yandrisevits
Druce	Lederer	Roebuck	Yewcic
Durham	Lee	Rohrer	Zug
Egolf	Leh	Rooney	
Evans	Lescovitz	Rubley	DeWeese,
Fairchild	Levdansky	Rudy	Speaker
Fajt			

NAYS—0

NOT VOTING—0

EXCUSED—4

Haluska	Merry	O'Donnell	Wozniak
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The question was determined in the affirmative, and the resolution was adopted.

* * *

The SPEAKER pro tempore. The gentleman, Mr. Bunt, requests that HR 90 be brought up for a vote.

The following resolution was read:

House Resolution No. 90

A RESOLUTION

Designating the week of May 6 through 12, 1993, as "Nurses Week."

WHEREAS, Nurses have served the health care needs of the people of Pennsylvania with dedication and integrity; and

WHEREAS, The hands-on-care services they provide beneficially affect nearly every Pennsylvanian; and

WHEREAS, Nurses, in many ways, are the unsung heroes in the health care work force; therefore be it

RESOLVED, That the House of Representatives designate the week of May 6 through 12, 1993, as "Nurses Week."

Raymond Bunt, Jr.
Thomas F. Yewcic
Timothy L. Pesci
Teresa E. Brown
Jim Lynch
Stephen R. Maitland
Richard D. Olasz
Patrick E. Fleagle
John W. Fichter
Matthew E. Baker
Roy W. Cornell
Jerry L. Nailor
Leonard Quirico Gruppo
Robert E. Nyce
P. Michael Sturla
Thomas M. Tigue
Lynn B. Herman
Larry O. Sather
Martin L. Laub
Thomas C. Petrone
Edward H. Krebs
Katie True
Howard L. Fargo
David Orr King
Todd R. Platts
Patricia H. Vance
Kevin Blaum
Robert J. Flick
Arthur D. Hershey
Stanley E. Saylor
Joseph M. Uliana
Ronald I. Buxton
David J. Steil
Herman Mihalich
Albert W. Pettit
John J. Taylor
Lawrence H. Curry
Linda Bebko-Jones
Gregory C. Fajt
Dante Santoni, Jr.
Jeffrey W. Coy
Sheila M. Miller
Ellen A. Harley
Joseph A. Petrarca
Thomas W. Dempsey
Frank J. Gigliotti

Elaine F. Farmer
Carole A. Rubley
Babette Josephs
Michael L. Waugh
Russ Fairchild
Susan Laughlin
Victor John Lescovitz
Charles W. Dent
C. Allan Egolf
Bruce Smith
Thomas C. Corrigan, Sr.
Roy Reinard
Kathy M. Manderino
Daniel F. Clark
Michael R. Veon
George T. Kenney, Jr.
Nicholas A. Micozzie
Jim Gerlach
Robert W. Godshall

On the question,

Will the House adopt the resolution?

The following roll call was recorded:

YEAS—199

Acosta	Fargo	Linton	Ryan
Adolph	Farmer	Lloyd	Santoni
Allen	Fee	Lucyk	Sather
Argall	Fichter	Lynch	Saurman
Armstrong	Fleagle	Maitland	Saylor
Baker	Flick	Manderino	Scheetz
Barley	Freeman	Markosek	Schuler
Battisto	Gamble	Marsico	Scriminti
Bebko-Jones	Gannon	Masland	Semmel
Belardi	Geist	Mayernik	Serafini
Belfanti	George	McCall	Smith, B.
Birmelin	Gerlach	McGeehan	Smith, S. H.
Bishop	Gigliotti	McNally	Snyder, D. W.
Blaum	Gladeck	Melio	Staback
Boyes	Godshall	Michlovic	Stairs
Brown	Gordner	Micozzie	Steelman
Bunt	Gruitza	Mihalich	Steighner
Bush	Gruppo	Miller	Steil
Butkovitz	Hanna	Mundy	Stern
Buxton	Harley	Murphy	Stetler
Caltagirone	Hasay	Nailor	Stish
Cappabianca	Heckler	Nickol	Strittmatter
Carn	Hennessey	Nyce	Sturla
Carone	Herman	O'Brien	Surra
Cawley	Hershey	Olasz	Tangretti
Cessar	Hess	Oliver	Taylor, E. Z.
Chadwick	Hughes	Perzel	Taylor, J.
Civera	Hutchinson	Pesci	Thomas
Clark	Itkin	Petrarca	Tigue
Clymer	Jadlowiec	Petrone	Tomlinson
Cohen, L. I.	James	Pettit	Trello
Cohen, M.	Jarolin	Phillips	Trich
Colafella	Josephs	Piccola	True
Colaizzo	Kaiser	Pistella	Tulli
Cornell	Kasunic	Pitts	Uliana
Corrigan	Keller	Platts	Vance
Cowell	Kenney	Preston	Van Horne
Coy	King	Raymond	Veon
Curry	Kirkland	Reber	Vitali
Daley	Krebs	Reinard	Waugh
DeLuca	Kukovich	Richardson	Williams
Dempsey	LaGrotta	Rieger	Wogan
Dent	Laub	Ritter	Wright, D. R.
Dermody	Laughlin	Roberts	Wright, M. N.

Donatucci	Lawless	Robinson	Yandrisevits
Druce	Lederer	Roebuck	Yewcic
Durham	Lee	Rohrer	Zug
Egolf	Leh	Rooney	
Evans	Lescovitz	Rublely	DeWeese,
Fairchild	Levdansky	Rudy	Speaker
Fajt			

NAYS—0

NOT VOTING—0

EXCUSED—4

Haluska	Merry	O'Donnell	Wozniak
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The question was determined in the affirmative, and the resolution was adopted.

CALENDAR CONTINUED

BILLS ON THIRD CONSIDERATION

The House proceeded to third consideration of **HB 200, PN 1550**, entitled:

An Act amending the act of June 24, 1937 (P.L.2045, No.397), known as The Support Law, abolishing certain liens and providing for the release therefrom.

On the question,

Will the House agree to the bill on third consideration?

Mr. RYAN offered the following amendments No. A1233:

Amend Title, page 1, lines 1 through 10, by striking out all of said lines and inserting

Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An act to consolidate, editorially revise, and codify the public welfare laws of the Commonwealth," further providing for public assistance eligibility; providing for imposition of liens against the property of persons who have received assistance; creating a fund; and making a repeal.

Amend Bill, page 1, lines 13 through 15; page 2, lines 1 through 30; page 3, lines 1 through 17, by striking out all of said lines on said pages and inserting

Section 1. Section 432(5) of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, amended April 1, 1976 (P.L.64, No.28), is amended to read:

Section 432. Eligibility.—Except as hereinafter otherwise provided, and subject to the rules, regulations, and standards established by the department, both as to eligibility for assistance and as to its nature and extent, needy persons of the classes defined in clauses (1), (2), and (3) shall be eligible for assistance:

* * *

(5) Assistance may be granted only to or in behalf of a resident of Pennsylvania.

(i) Needy persons who do not meet the residence requirements stated in this clause and who are transients or without residence in any state, may be granted assistance up to seven days in the form of vendor payments, all in accordance with rules, regulations, and standards established by the department.

(ii) Notwithstanding the maximum aid payments as determined by the department, recipients of general assistance and aid to families with dependent children who have resided in this Commonwealth for less than twelve months shall be paid an amount calculated in accordance with department standards, but not to exceed the maximum aid payment that would have been received from the recipient's state of prior residence, unless that amount exceeds the maximum payment level available to recipients in this Commonwealth. When the maximum aid payment

from a recipient's state of prior residence exceeds that amount which would otherwise be available in this Commonwealth, the recipient shall receive an amount not to exceed the amount available in this Commonwealth. The provisions of this subclause shall not apply to Aid for Families with Dependent Children or General Assistance recipients who can establish that they moved to this Commonwealth to escape an abusive living situation. The department shall adopt rules governing the proof required to establish that the applicant has moved to this Commonwealth to escape an abusive living situation.

Section 2. The act is amended by adding a section to read:

Section 436.1. Property of Persons Liable for Expenses Incurred for Support and Assistance; Fund.—(a) Except as limited by subsection (c), the real and personal property of any person shall be liable for the expenses of his support, maintenance, assistance and burial, and for the expenses of the support, maintenance, assistance and burial of the spouse and unemancipated minor children of such property owner, incurred by any public body or public agency, if such property was owned during the time such expenses were incurred, or if a right or cause of action existed during the time such expenses were incurred from which the ownership of such property resulted. Any public body or public agency may sue the owner of such property for moneys so expended, and any judgment obtained shall be a lien upon the said real estate of such person and be collected as other judgments, except as to the real and personal property comprising the home and furnishings of such person, which home shall be subject to the lien of such judgment but shall not be subject to execution on such judgment during the lifetime of the person, surviving spouse, or dependent children.

(b) Except as limited by subsection (c), any claim for the expenses of support, maintenance, assistance and burial of a person and for the support, maintenance, assistance and burial of his spouse and unemancipated minor children, held by any public body or public agency, shall have the same force and effect against the real and personal estate of a deceased person as other debts of a decedent, and shall be ascertained and recovered in the same manner.

(c) No lien may be imposed against the property of any individual or of his spouse on account of medical assistance for the aged paid or to be paid on his behalf, except pursuant to the judgment of a court on account of benefits incorrectly paid on behalf of such individual, and there shall be no adjustment or recovery from such individual's estate or from the estate of his spouse of any medical assistance for the aged correctly paid on behalf of such individual.

(d) There is hereby established in the Treasury Department a special fund to be known as the Employment and Training Support Services Fund. Moneys received by the Commonwealth under this section are to be deposited in the fund and shall be used for the purpose of providing supportive services and transitional financial assistance as required by the act of July 13, 1987 (P.L.342, No.65), known as the "Employment Opportunities Act."

Section 3. Section 4 of the act of June 24, 1937 (P.L.2045, No.397), known as The Support Law, is repealed.

Section 4. This act shall take effect in 60 days.

On the question,

Will the House agree to the amendments?

The SPEAKER pro tempore. The Chair recognizes the minority leader.

Mr. RYAN. Mr. Speaker, Pennsylvania, over a relatively short period of time, at least in the eastern part of Pennsylvania, has become somewhat of a haven for people who probably do not deserve the largess that we have been giving, if indeed it is a largess, people who are worthy of and who are entitled to welfare support from this State.

In Pennsylvania, unlike many of our neighboring States, we provide medical care, by way of example, to able-bodied welfare recipients between the ages of 18 and 45. Now, forgetting about the amount of money these folks might get being on Pennsylvania's welfare rolls, thinking only for a moment of the cost of the health insurance that is not given in neighboring States, we believe—and this belief is shared by many people—that residents of other States are coming into Pennsylvania— Mr. Speaker, may I have order?

The SPEAKER pro tempore. Will the House please come to order.

We are going to be considering a series of bills tonight on a very important subject. We are also going to be considering a vast number of amendments that I think all of us went over in caucus, but I think that it bears mentioning that many of these votes are going to be critical for all the members, and I would urge some restraint on the House floor, to please pay attention to the different speakers tonight. Thank you.

The minority leader, please proceed.

Mr. RYAN. Mr. Speaker, I am sorry I was distracted then. I do not know what you said that caused that uproar. I am sorry I did not say it myself, I guess. At least there is some order now. Thank you.

What is happening—and we all know it is happening—is people are coming in from other States. They are driving over the bridges of the Delaware River. They are coming into Bucks County; they are coming into Philadelphia County; they are coming into Delaware County. They are walking into the welfare offices; they are picking up a card and they are walking out and they are going to the doctors of Pennsylvania and they are using that particular card for welfare medical assistance.

I am suggesting—and maybe some of them are legitimately here in Pennsylvania; I am not sure of that—what I am suggesting with my amendment is that if you come into Pennsylvania from an adjoining State, for the first 12 months of your residency in Pennsylvania, you receive no more here in Pennsylvania than the lesser of Pennsylvania's welfare benefits or the benefits of your prior State. I do not know that I said that properly. You cannot get more out of Pennsylvania than you could get out of your own State, and if your award from the State of New Jersey, by way of example, would be \$1,000 and if you came into Pennsylvania and it would be \$1,200, you are limited to the \$1,000. If your award from New Jersey would be \$1,200, \$1,000 in Pennsylvania, you get \$1,000. It is the lesser of the two amounts.

It seems fair to our citizens, it seems fair to our taxpayers, it seems fair to our constituents that something like this be addressed now when we are in a somewhat critical financial situation and where we are addressing as the majority chairmen of both the Welfare Committee and the majority Appropriations Committee say we are addressing which is welfare reform. Why should people come from another State, walk into Pennsylvania, and do so much better than they are doing in the State they just left? Let them first become honest citizens of

Pennsylvania and thereby entitled to this. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Richardson.

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

I rise to oppose the Ryan amendment, and I do so for many reasons.

One is that this bill has been debated on this floor of this House for over 16 years. We have come to this House on many occasions to raise the question about how we deal with the issue of real property for those individual members here in this Commonwealth who unfortunately have had to suffer loss of their particular jobs because the industry has moved out of the State or because their particular areas where they may come from, whether it be in the western part of the State or the eastern part of the State, whose businesses have closed up. What the Ryan amendment is doing here now is changing that whole Support Law to try to get us to be convinced that we need now to be concerned about those who may be moving into the Commonwealth of Pennsylvania.

There are no statistics by the Department of Public Welfare or the Department of Human Services in Washington, DC, that would make us believe that there is an influx of people rushing into the Commonwealth of Pennsylvania to jump onto the rolls of welfare in the Commonwealth of Pennsylvania. It just does not exist. It is untrue; it is a myth; it is a lie; and as a result, what is happening is scare tactics are being used to excite people into voting emotionally on something that is not true in the Commonwealth of Pennsylvania.

I would dare to say that there are many other arguments that could be raised as a point of so-called residency in this Commonwealth of Pennsylvania, but notwithstanding, the main issue today before us is HB 200, which is the lien law, and repealing the lien law under the Support Act of the Commonwealth of Pennsylvania. It says to an individual person in the Commonwealth of Pennsylvania who falls in the category of having a lien placed on their home because they have worked for 20 years, worked for 20 years, have never had to go on welfare before, but because their job is no longer in existence, they have had to resort to that, and as a result, we are penalizing them. There are only three States left in this country that have welfare liens placed on them as punitive action. One is Connecticut, one is New York, and the third is Pennsylvania.

We need not be behind the times, and I would ask for defeat of this amendment so we can get on to the full debate on this issue. We have never amended this before. We have had an opportunity to debate this issue up or down, and I would ask the members respectfully if they will support the move to oppose the Ryan amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman, and the Chair recognizes the Appropriations chairman, Mr. Evans.

Mr. EVANS. Thank you, Mr. Speaker.

Mr. Speaker, this is going to be a long evening or it can be a short evening.

The amendment that the gentleman offers, Mr. Speaker, I have indicated to him that we should debate this issue on HB 1341, and, Mr. Speaker, this amendment that the gentleman is offering, in my view, should be debated around the Public Welfare Code.

This issue of the welfare lien, Mr. Speaker, as the chairman of the Health and Welfare Committee has expressed to you, has been an issue for the last 16 years we have passed. There are an awful lot of individuals out there, Mr. Speaker, the Governor included, who said that he would sign the welfare lien bill once it is passed.

If we, Mr. Speaker, add these kinds of additional amendments, in my view, Mr. Speaker, we have destroyed the public policy question of eliminating the lien, first. Secondly, Mr. Speaker, this has some cost implications in terms of administrative costs. There is some question also, Mr. Speaker, on the constitutionality of this particular issue.

Mr. Speaker, I also want to say to the gentleman that I am a supporter of the residency requirement issue. I do think we need to have a residency requirement, but I do not think, Mr. Speaker, it should be dealt with in HB 200, and in HB 1341, we do deal with that particular issue.

In my view, Mr. Speaker, this again would interfere with this issue that this House has passed in the past, and I would hope we would vote negative on the Ryan amendment. Thank you, Mr. Speaker.

CONSTITUTIONAL POINT OF ORDER

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman from Philadelphia, Mr. Cohen.

Mr. COHEN. Mr. Speaker, I challenge the constitutionality of this amendment.

This amendment violates the 14th Amendment to the United States Constitution, which guarantees all citizens equal protection of the laws. This amendment violates the 14th Amendment in several important ways.

First, this amendment is directly contrary to the U.S. Supreme Court decision of *Shapiro v. Thompson* which was decided in 1969, and despite the fact that no Democrat has been appointed to the Supreme Court since 1969, it has never been overridden by the U.S. Supreme Court. That decision said clearly that we cannot discriminate on the basis of travel, which the Ryan amendment does. All Americans have the right to move around from State to State, the Supreme Court said and has repeated ever since then, and the States do not have the right to restrict that movement by restricting welfare benefits, as Mr. Ryan seeks to do.

Secondly, because Mr. Ryan is just crafting this amendment to deal with one set of government benefits and not other sets of government benefits, he is drawing a distinction between one class of people and another class of people.

Someone does not need a 1-year residency requirement to get unemployment compensation. Someone does not need a 1-year residency requirement to get workers' compensation. When you get unemployment compensation in Pennsylvania,

whether you are here 1 month or 2 months or 6 months, you get the Pennsylvania rate, not the rate from any other State. When you get workers' compensation, you get the Pennsylvania rate, not the rate of any other State. When you get senior citizens' benefits, you get the Pennsylvania rate, not the rate of any other State.

Unfortunately, I wish this was not true, but the fact is that the different governmental benefits, the population of people is different; there are racial differences between people who get welfare as a unit than there are people who get unemployment compensation and workers' compensation, and this amendment is just drawing an unfortunate distinction between welfare benefits and other kinds of governmental benefits that violates the Constitution.

Secondly, as I said before, it draws distinctions between people from different States and says that somebody, because they have been in Pennsylvania X amount of time, gets lower benefits.

Thirdly, as I said before, this amendment restricts the freedom of travel, which the Supreme Court identified as a fundamental right in 1969 and has reiterated in all subsequent cases, and numerous Federal courts, including the Federal courts in the Eastern District of Pennsylvania, have gone along with the Supreme Court decision.

For all these reasons, Mr. Speaker, I submit this amendment violates the equal protection clause of the 14th Amendment and is unconstitutional, and I urge the House to so vote.

On the question,

Will the House sustain the constitutionality of the amendments?

The SPEAKER pro tempore. The Chair recognizes Mr. Strittmatter.

Mr. STRITTMATTER. Thank you, Mr. Speaker.

I believe that the former speaker who was making this motion must not have read the amendment. Obviously, people have the right to move from State to State, and this amendment has provided for that. It is going to be the same as coming from the State that you came from. There is nothing wrong with that. They have a right to come to Pennsylvania, and they will receive the aid that they would have received if they were staying in their home State.

I think that this is very constitutional. I do not believe anybody else, except maybe Representative Cohen and a handful of people, would think that it is unconstitutional. I would ask that we please vote that it is constitutional. Thank you.

The SPEAKER pro tempore. The Chair thanks the speaker. The Chair recognizes the minority leader, Mr. Ryan.

Mr. RYAN. Mr. Speaker, on the question of constitutionality, we today in Pennsylvania impose residency requirements on our senior citizens in the PACE (Pharmaceutical Assistance Contract for the Elderly) program. We impose it upon those who wish to vote in Pennsylvania. We impose it upon many of our students who seek student loans.

Why are the welfare recipients different than students? Why are they different than senior citizens? Why are they different than so many others? Every single citizen must be a resident for a given period of time before they are permitted to vote.

In Shapiro, it was held that a 1-year durational residential requirement violated equal protection because it prohibited needy persons from traveling. This requirement does not do that. In addition, California declared their residency requirement unconstitutional but not binding on Pennsylvania.

Common sense tells us that recent and significant cutbacks in welfare benefits in neighboring States — Michigan, Ohio, New York, New Jersey, Maryland — are going to lead, not likely to lead, they are going to lead to an increase in the number of persons moving here to Pennsylvania to collect welfare benefits. This requirement really removes any incentive for an out-of-State welfare recipient to move to Pennsylvania to get these higher amounts.

This is the same amendment contained in amendment 1202, and this amendment switches the bill from the Support Law to the Public Welfare Code. It duplicates the language regarding liens into the Public Welfare Code.

Now, saying it is unconstitutional and voting that way is a place and a way to hide. We all know it; we have all been up here long enough to know that it is a place to hide. When you need a place to hide, you hide behind the question of constitutionality.

We have got Supreme Court Justice Mark Cohen, with 2 years at Widener Law School at night, telling us what is constitutional. Now, I have got a problem with that. Now, if Pete Daley were up helping him out, with 3 years at Widener—

The SPEAKER pro tempore. Will the gentleman suspend, please.

Mr. RYAN. Oh, I am just kidding. They know that.

The SPEAKER pro tempore. I understand, but please stick to the point of order. Thank you.

Mr. RYAN. It is a good school, and they are doing a good job. I have checked on them. I have got their grades and all, if anybody wants to share that with me.

But really, we are all complaining about the Supreme Court. If there is a question, let the Supreme Court earn their money and pass on it in a court of law, not on the floor of the House.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes Mr. Thomas.

Mr. THOMAS. Thank you, Mr. Speaker.

Mr. Speaker, I concur with the speaker's argument that this amendment is unconstitutional, and just to have a little fun, I think that Mr. Cohen is doing an excellent job in his studies and getting himself ready, because if nothing else, he cited the right case, which the minority speaker had to rely on, and he cited the right facts.

Now, Mr. Speaker, with respect to the issue that is before us and whether or not there is an analogous situation between the accessibility of welfare benefits versus the accessibility of privileges or benefits under the PACE program or under some

of the other programs that the speaker mentioned, I submit to you that the line of demarcation comes down on whether or not it is a privilege that the State is providing versus whether or not it is a right that has been granted arising out of statutory construction.

In this particular case, this Assembly provided a right, provided the accessibility to welfare benefits. Welfare benefits were created by statute, whereas with the PACE program, the PACE program is a program arising out of the lottery program. Access to benefits arising out of the lottery program is a privilege, and as such, this body is able to expand or limit the accessibility to those benefits.

The different situation exists with welfare benefits, and I would suggest to the Speaker and would suggest to all of my colleagues that we reject that argument out of hand. There is no analogy between the accessibility of PACE, lottery program benefits, versus the accessibility of welfare benefits. Thank you.

QUESTION OF PERSONAL PRIVILEGE

The SPEAKER pro tempore. The Chair thanks the gentleman, and the Chair recognizes Representative Lita Cohen from Montgomery County.

Mrs. COHEN. Thank you, Mr. Speaker.

I would like to speak on a point of personal privilege, please.

The SPEAKER pro tempore. The Chair inquires as to what the point of personal privilege is.

Mrs. COHEN. It speaks to the challenge to the constitutionality of this amendment, sir.

The SPEAKER pro tempore. Will the gentlelady suspend for a second.

I believe you want to speak on the constitutionality question, and you are in order. Could you please proceed.

Mrs. COHEN. Thank you, Mr. Speaker.

Mr. Speaker, as a graduate of the University of Pennsylvania Law School — that is 3 bona fide years at the University of Pennsylvania — I would like to speak to the issue of the constitutionality, the challenge to the constitutionality of this amendment.

Mr. Speaker, we have received—and I am speaking as Representative Lita Cohen on this side of the aisle. We call me “Cohen the Greater” as opposed to “Cohen the Lesser” on the other side of the aisle—

The SPEAKER pro tempore. Will the lady please refrain.

Mrs. COHEN. We, sir, have received, Mr. Speaker—

The SPEAKER pro tempore. The lady is out of order. Would you please suspend for a minute.

It is a longstanding rule of the House that the members will refrain from mentioning other members in their remarks and specifically disparaging comments, and I would ask that the lady—

Mrs. COHEN. Thank you, Mr. Speaker. I will certainly hope to be in order in the future.

The SPEAKER pro tempore. Thank you.

Mrs. COHEN. We have received a booklet titled "True Welfare Reform" attributable to Representative Richardson. On page 14 of the report, the members of the Montgomery County delegation—and you will see why I have mentioned another Representative—the members of the Montgomery County delegation have been mentioned by name, page 14, and there are 12 of us, sir. A prior Representative has been mentioned.

I am the duly elected Representative from Montgomery County, the 148th District, which is why I felt it imperative that I mention my name as Cohen rather than the prior Representative. I have been duly elected.

Therefore, based upon the material before me, I must challenge the challenge to the constitutionality of the amendment because I do believe that the gentleman challenging the constitutionality, based upon the materials that have been presented to us, it is invalid. I wonder what other invalidities are contained in this document since the delegation itself, which is purely factual, is not correct. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the lady.

The Chair recognizes Representative Richardson.

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

Mr. Speaker, we have tried very hard to get to this point for many years. This issue of welfare reform has been an issue that the prior speaker has wanted to deal with, the minority leader, and indicated very strongly that he wanted to get to the heart of opening up the Public Welfare Code here in the Commonwealth of Pennsylvania.

I want to cite under the question of constitutionality that residency requirements for welfare recipients in other States, 9 including Pennsylvania — California, Illinois, Iowa, Maine, New Jersey, Washington, Wisconsin, Massachusetts, and Pennsylvania — that by the end of 1992, 8 of those 11 States had considered antimigration provisions that were not enacted in those States. I want to indicate that once it was very clear that there was a particular constitutionality raised on these issues, that other States did not push them. And I think that the gentleman, who is a lawyer and has already indicated his strong will and desire to want to deal with facts as they are, should take into consideration that all of those States, recognizing that this was a violation of law, moved to have them removed from their particular States and are not a part of the residency requirements of those States.

It is clear to me that the question of constitutionality that has been raised, that all of our members here on the floor of the House of Representatives should vote not to support the constitutionality of this amendment.

The SPEAKER pro tempore. The Chair thanks the gentleman and recognizes the gentleman, Mr. Saurman.

Mr. SAURMAN. Thank you, Mr. Speaker.

Very briefly, I think maybe the loudspeaking system broke down a bit ago because the minority leader spoke of two specific things where we now have a residency requirement. One of the previous speakers took issue with one part of that and tried to determine whether it was a right or a privilege, but he forgets the second part of that had to do with the voting

right that we have in this country. Therefore, I think that the minority leader's comparison and use of an existing forum where we do in fact have a residency requirement, which has in fact not been checked or challenged and continues in place, indicates very clearly that this process is constitutional.

You may not like it and you may want to vote against it—that is something personal—but the constitutionality in this instance I think is very clear and should be seen and voted for.

The SPEAKER pro tempore. The Chair thanks the gentleman.

Those voting "aye" will declare the amendment to be constitutional; those voting "no" will declare the amendment to be unconstitutional.

On the question recurring,

Will the House sustain the constitutionality of the amendments?

The following roll call was recorded:

YEAS—111

Adolph	Farmer	Leh	Saurman
Allen	Fichter	Lynch	Saylor
Argall	Fleagle	Maitland	Scheetz
Armstrong	Flick	Manderino	Schuler
Baker	Gamble	Markosek	Semmel
Barley	Gannon	Marsico	Serafini
Birmelin	Geist	Masland	Smith, B.
Boyes	Gerlach	Mayermik	Smith, S. H.
Brown	Gladeck	McGeehan	Snyder, D. W.
Bunt	Godshall	Micozzie	Stairs
Bush	Gruppo	Miller	Steil
Butkovitz	Hanna	Nailor	Stern
Carone	Harley	Nickol	Strittmatter
Cessar	Hasay	Nyce	Taylor, E. Z.
Chadwick	Heckler	O'Brien	Taylor, J.
Civera	Hennessey	Perzel	Tigue
Clark	Herman	Pettit	Tomlinson
Clymer	Hershey	Phillips	True
Cohen, L. I.	Hess	Piccola	Tulli
Cornell	Hutchinson	Pitts	Uliana
Dempsey	Jadlowiec	Platts	Vance
Dent	Kenney	Raymond	Vitali
Donatucci	King	Reber	Waugh
Druce	Krebs	Reinard	Wogan
Durham	Laub	Rohrer	Wright, M. N.
Egolf	Lawless	Rublely	Yandrisevits
Fairchild	Lederer	Ryan	Zug
Fargo	Lee	Sather	

NAYS—88

Acosta	Fajt	Lucyk	Rudy
Battisto	Fee	McCall	Santoni
Bebko-Jones	Freeman	McNally	Scrimanti
Belardi	George	Melio	Staback
Belfanti	Gigliotti	Michlovic	Stelman
Bishop	Gordner	Mihalich	Steighner
Blaum	Gruitza	Mundy	Stetler
Buxton	Hughes	Murphy	Stish
Caltagirone	Itkin	Olasz	Sturla
Cappabianca	James	Oliver	Surra
Carn	Jarolin	Pesci	Tangretti
Cawley	Josephs	Petrarca	Thomas
Cohen, M.	Kaiser	Petrone	Trello
Colafrilla	Kasunic	Pistella	Trich
Colaizzo	Keller	Preston	Van Horne

Corrigan	Kirkland	Richardson	Veon
Cowell	Kukovich	Rieger	Williams
Coy	LaGrotta	Ritter	Wright, D. R.
Curry	Laughlin	Roberts	Yewcic
Daley	Lescovitz	Robinson	
DeLuca	Levdansky	Roebuck	DeWeese,
Dermody	Linton	Rooney	Speaker
Evans	Lloyd		

NOT VOTING—0

EXCUSED—4

Haluska	Merry	O'Donnell	Wozniak
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The majority having voted in the affirmative, the question was determined in the affirmative and the constitutionality of the amendments was sustained.

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

The following roll call was recorded:

YEAS—99

Adolph	Farmer	Leh	Saylor
Allen	Fichter	Lynch	Scheetz
Argall	Fleagle	Maitland	Schuler
Armstrong	Flick	Marsico	Semmel
Baker	Gannon	Masland	Serafini
Barley	Geist	Micozzie	Smith, B.
Birmelin	Gerlach	Miller	Smith, S. H.
Boyes	Gladeck	Nailor	Snyder, D. W.
Brown	Godshall	Nickol	Stairs
Bunt	Gruppo	Nyce	Steil
Bush	Harley	O'Brien	Stern
Cessar	Hasay	Perzel	Strittmatter
Chadwick	Heckler	Pettit	Taylor, E. Z.
Civera	Hennessey	Phillips	Taylor, J.
Clark	Herman	Piccola	Tomlinson
Clymer	Hershey	Pitts	True
Cohen, L. I.	Hess	Platts	Tulli
Cornell	Hutchinson	Raymond	Uliana
Dempsey	Jadlowiec	Reber	Vance
Dent	Kenney	Reinard	Vitali
Druce	King	Rohrer	Waugh
Durham	Krebs	Rubley	Wogan
Egolf	Laub	Ryan	Wright, M. N.
Fairchild	Lawless	Sather	Zug
Fargo	Lee	Saurman	

NAYS—100

Acosta	Fajt	Lucyk	Rooney
Battisto	Fee	Manderino	Rudy
Bebko-Jones	Freeman	Markosek	Santoni
Belardi	Gamble	Mayernik	Scrimenti
Belfanti	George	McCall	Staback
Bishop	Gigliotti	McGeehan	Steelman
Blaum	Gordner	McNally	Steighner
Butkovitz	Gruitza	Melio	Stetler
Buxton	Hanna	Michlovic	Stish
Caltagirone	Hughes	Mihalich	Sturla
Cappabianca	Itkin	Mundy	Surra
Carn	James	Murphy	Tangretti
Carone	Jarolin	Olasz	Thomas
Cawley	Josephs	Oliver	Tigue
Cohen, M.	Kaiser	Pesci	Trello
Colafrella	Kasunic	Petrarca	Trich
Colaizzo	Keller	Petrone	Van Horne

Corrigan	Kirkland	Pistella	Veon
Cowell	Kukovich	Preston	Williams
Coy	LaGrotta	Richardson	Wright, D. R.
Curry	Laughlin	Rieger	Yandrisevits
Daley	Lederer	Ritter	Yewcic
DeLuca	Lescovitz	Roberts	
Dermody	Levdansky	Robinson	DeWeese,
Donatucci	Linton	Roebuck	Speaker
Evans	Lloyd		

NOT VOTING—0

EXCUSED—4

Haluska	Merry	O'Donnell	Wozniak
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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?

The SPEAKER pro tempore. The Chair recognizes the minority leader, Mr. Ryan, for an additional amendment.

Mr. RYAN. Thank you.

I would yield at this time to the gentleman, Mr. Perzel, for the purpose of his offering an amendment.

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

Mr. PERZEL offered the following amendments No. A1327:

Amend Sec. 1 (Sec. 4), page 2, line 4, by inserting brackets before and after "subsection (c)" and inserting immediately thereafter

subsections (c) and (d)

Amend Sec. 1 (Sec. 4), page 3, by inserting between lines 7 and 8

(d) No lien may be imposed against the property of any individual for moneys received as set forth in subsection (a) until the individual has received such moneys for twelve cumulative, not consecutive, months. Such moneys received for less than twelve cumulative months shall be exempt from lien.

Amend Sec. 2 (Sec. 4.1), page 3, line 15, by inserting after "FROM"

twelve months of accumulated expenses secured by

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

The SPEAKER pro tempore. On that question, the Chair recognizes Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

Amendment 1327 would provide that any homeowner receiving assistance for less than 12 months cumulatively would be exempt from the welfare lien. After 12 months on welfare, a lien would be placed against the property of that individual. This amendment would allow a person to receive the temporary help that they need to get back on their feet without repercussions. Additionally, by having the lien after 12 months, this amendment would discourage long-term use of the welfare system and provide an incentive for individuals to work toward independence.

Mr. Speaker, we all sat here several months back when the Governor, in his budget, said that we are creating jobs in Pennsylvania. If the Governor's view of job creation in Pennsylvania is correct, then a year is a reasonable amount of time to allow for somebody to get back on their feet, and I would urge a "yes" vote, Mr. Speaker. Thank you.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

(Members proceeded to vote.)

VOTES CHALLENGED

Mr. RYAN. Mr. Speaker?

The SPEAKER pro tempore. For what reason does the gentleman rise?

Mr. RYAN. Mr. Speaker, is the gentleman, Mr. Rieger, on the floor of the House?

The SPEAKER pro tempore. Is the gentleman, Mr. Rieger, on the floor of the House?

Mr. RYAN. He is not voted.

The gentleman, Mr. O'Donnell?

The gentleman, Mr. Trich?

The SPEAKER pro tempore. Is the gentleman, Mr. Trich, on the floor of the House? Please delete his vote.

Mr. RYAN. The gentleman, Mr. Wozniak?

The SPEAKER pro tempore. Is the gentleman, Mr. Wozniak, on the floor of the House? The Chair notes that he is not on the board.

Mr. RYAN. The gentleman, Mr. Wright, David Wright?

The SPEAKER pro tempore. Is the gentleman, Mr. Wright, in the House chambers? Have his vote stricken, please. Could somebody please strike Mr. Wright's vote. Thank you. Please strike it.

Mr. EVANS. Mr. Speaker?

The SPEAKER pro tempore. The Chair recognizes Mr. Evans.

Mr. EVANS. It is my understanding, Mr. Speaker, Mr. Stairs?

The SPEAKER pro tempore. The Chair notes that Mr. Stairs is in the chamber.

Mr. EVANS. It is my understanding, Representative Piccola?

The SPEAKER pro tempore. The Chair recognizes Mr. Piccola is in the House.

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

The following roll call was recorded:

YEAS-98

Adolph	Farmer	Leh	Saurman
Allen	Fichter	Lynch	Saylor
Argall	Fleagle	Maitland	Scheetz
Armstrong	Flick	Marsico	Schuler
Baker	Gannon	Masland	Semmel

Barley	Geist	Micozzie	Serafini
Birmelin	Gerlach	Miller	Smith, B.
Boyes	Gladeck	Nailor	Smith, S. H.
Brown	Godshall	Nickol	Snyder, D. W.
Bunt	Gruppo	Nyce	Stairs
Bush	Harley	O'Brien	Steil
Cessar	Hasay	Perzel	Stern
Chadwick	Heckler	Pettit	Stritmatter
Civera	Hennessey	Phillips	Taylor, E. Z.
Clark	Herman	Piccola	Taylor, J.
Clymer	Hershey	Pitts	Tomlinson
Cohen, L. I.	Hess	Platts	True
Cornell	Hutchinson	Raymond	Tulli
Dempsey	Jadlowiec	Reber	Uliana
Dent	Kenney	Reinard	Vance
Druce	King	Rohrer	Waugh
Durham	Krebs	Ruble	Wogan
Egolf	Laub	Ryan	Wright, M. N.
Fairchild	Lawless	Sather	Zug
Fargo	Lee		

NAYS-98

Acosta	Evans	Linton	Roebuck
Battisto	Fajt	Lloyd	Rooney
Bebko-Jones	Fee	Lucyk	Rudy
Belardi	Freeman	Manderino	Santoni
Belfanti	Gamble	Markosek	Scrimenti
Bishop	George	Mayermik	Staback
Blaum	Gigliotti	McCall	Steelman
Butkovitz	Gordner	McGeehan	Steighner
Buxton	Gruitza	McNally	Stetler
Caltagirone	Hanna	Melio	Stish
Cappabianca	Hughes	Michlovic	Sturla
Carn	Itkin	Mihalich	Surra
Carone	James	Mundy	Tangretti
Cawley	Jarolin	Murphy	Thomas
Cohen, M.	Josephs	Olasz	Tigue
Colafella	Kaiser	Oliver	Trello
Colaizzo	Kasunic	Pesci	Van Horne
Corrigan	Keller	Petrarca	Veon
Cowell	Kirkland	Petrone	Vitali
Coy	Kukovich	Pistella	Williams
Curry	LaGrotta	Preston	Yandrisevits
Daley	Laughlin	Richardson	Yewcic
DeLuca	Lederer	Ritter	
Dermody	Lescovitz	Roberts	DeWeese,
Donatucci	Levdansky	Robinson	Speaker

NOT VOTING-3

Rieger	Trich	Wright, D. R.
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EXCUSED-4

Haluska	Merry	O'Donnell	Wozniak
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The question was determined in the negative, and the amendments were not agreed to.

THE SPEAKER (H. WILLIAM DeWEESE)
PRESIDING

On the question recurring,
Will the House agree to the bill on third consideration?
Mr. FLICK offered the following amendments No. A1234:

Amend Title, page 1, lines 1 through 10, by striking out all of said lines and inserting

Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An act to consolidate, editorially revise, and codify the public welfare laws of the Commonwealth," further restricting assistance payments and medical assistance to certain chronically needy persons; providing for imposition of liens against the property of persons who have received assistance; creating a fund; and making repeals.

Amend Bill, page 1, lines 13 through 15; page 2, lines 1 through 30; page 3, lines 1 through 17, by striking out all of said lines on said pages and inserting

Section 1. Sections 432(3)(i)(H) and (I) and (iii), 442.1 and 491(b) of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, amended or added April 8, 1982 (P.L.231, No.75), are amended to read:

Section 432. Eligibility.—Except as hereinafter otherwise provided, and subject to the rules, regulations, and standards established by the department, both as to eligibility for assistance and as to its nature and extent, needy persons of the classes defined in clauses (1), (2), and (3) shall be eligible for assistance:

* * *

(3) Other persons who are citizens of the United States, or legally admitted aliens and who are chronically needy or transitionally needy persons.

(i) Chronically needy persons are those persons chronically in need who may be eligible for an indeterminate period as a result of medical, social or related circumstances and shall be limited to:

* * *

(H) Any person who has previously been employed full time [for at least forty-eight months out of the previous eight years] and has exhausted his or her unemployment compensation benefits prior to applying for assistance.

[(I) Any person who does not otherwise qualify as chronically needy, and who is receiving general assistance on the date this section is enacted into law and who has not refused a bona fide job offer or otherwise failed to comply with all employment requirements of this act and regulations promulgated thereunder. Such person must comply with all employment requirements of this act and regulations promulgated thereunder. If after the date this section is enacted into law a person's general assistance grants are terminated, then that person may not subsequently qualify for general assistance under this clause except when such person has been terminated from employment through no fault of his own and has not met the minimum credit week qualifications of the act of December 5, 1936 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the "Unemployment Compensation Law." If it is determined that the classification of persons according to their status on the date of enactment as provided in this clause is invalid, then the remainder of this act shall be given full force and effect as if this clause had been omitted from this act, and individuals defined in this clause shall be considered transitionally needy if otherwise eligible. No person shall qualify for general assistance under this clause after December 31, 1982.]

* * *

[(iii) Transitionally needy persons are those persons who are otherwise eligible for general assistance but do not qualify as chronically needy. Assistance for transitionally needy persons shall be authorized only once in any twelve-month period in an amount not to exceed the amount of ninety days' assistance.]

* * *

Section 442.1. The Medically Needy; Determination of Eligibility.—A person shall be considered medically needy if he:

(1) Resides in Pennsylvania, regardless of the duration of his residence or his absence therefrom; and

(2) Meets the standards of financial eligibility established by the department with the approval of the Governor. In establishing these standards the department shall take into account (i) the funds certified by the Budget Secretary as available for medical assistance for the medically needy; (ii) pertinent Federal legislation and regulations; and (iii) the cost of living. [Transitionally needy persons who are not eligible for cash assistance by reason of section 432(3)(iii) shall be considered medically needy if otherwise eligible.]

Section 491. Employment Incentive Payments.—* * *

(b) An employment incentive payment may be claimed by an employer who hires any person who is receiving aid to families with dependent children or who is classified as chronically [or transitionally] needy at the time of employment except that payments shall not be provided for:

(1) The employment of any person who displaces any other individual from employment, except persons discharged for cause as certified by the Office of Employment Security.

(2) The employment of any person closely related, as defined by paragraphs (1) through (8) of section 152(a) of the Internal Revenue Code, to the taxpayer, or, if the taxpayer is a corporation, to an individual who owns, directly or indirectly more than fifty percent of the outstanding stock of the corporation, bank, savings institution, company, insurance company, or mutual thrift institution.

(3) The employment of an individual for whom the employer is simultaneously receiving Federally or State funded job training payments.

* * *

Section 2. The act is amended by adding a section to read:

Section 436.1. Property of Persons Liable for Expenses Incurred for Support and Assistance; Fund.—(a) Except as limited by subsection (c), the real and personal property of any person shall be liable for the expenses of his support, maintenance, assistance and burial, and for the expenses of the support, maintenance, assistance and burial of the spouse and unemancipated minor children of such property owner, incurred by any public body or public agency, if such property was owned during the time such expenses were incurred, or if a right or cause of action existed during the time such expenses were incurred from which the ownership of such property resulted. Any public body or public agency may sue the owner of such property for moneys so expended, and any judgment obtained shall be a lien upon the said real estate of such person and be collected as other judgments, except as to the real and personal property comprising the home and furnishings of such person, which home shall be subject to the lien of such judgment but shall not be subject to execution on such judgment during the lifetime of the person, surviving spouse, or dependent children.

(b) Except as limited by subsection (c), any claim for the expenses of support, maintenance, assistance and burial of a person and for the support, maintenance, assistance and burial of his spouse and unemancipated minor children, held by any public body or public agency, shall have the same force and effect against the real and personal estate of a deceased person as other debts of a decedent, and shall be ascertained and recovered in the same manner.

(c) No lien may be imposed against the property of any individual or of his spouse on account of medical assistance for the aged paid or to be paid on his behalf, except pursuant to the judgment of a court on account of benefits incorrectly paid on behalf of such individual, and there shall be no adjustment or recovery from such individual's estate or from the estate of his spouse of any medical assistance for the aged correctly paid on behalf of such individual.

(d) There is hereby established in the Treasury Department a special fund to be known as the Employment and Training Support Services Fund. Moneys received by the Commonwealth under this section are to be deposited in the fund and shall be used for the purpose of providing supportive services and transitional financial assistance as required by the act of July 13, 1987 (P.L.342, No.65), known as the "Employment Opportunities Act."

Section 3. (a) Section 4 of the act of June 24, 1937 (P.L.2045, No.397), known as The Support Law, is repealed.

(b) The following acts and parts of acts are repealed insofar as they provide job training or grants for persons classified as transitionally needy:

Act of July 13, 1987 (P.L.332, No.62), known as the Project Independence Act.

Act of July 13, 1987 (P.L.342, No.65), known as the Employment Opportunities Act.

(c) The repeals under subsection (b) shall be applied prospectively and shall not affect any job training program or grant entered into on or prior to July 1, 1993.

Section 4. The amendment affecting transitionally needy in section 491(b) of the act shall only apply to persons applying for employment on or after July 1, 1993.

Section 5. This act shall take effect as follows:

(1) The addition of section 436.1 of the act and the repeal of section 4 of The Support Law shall take effect in 60 days.

(2) The amendment of sections 432(3)(i)(H) and (I) and (iii), 442.1 and 491(b) of the act shall take effect July 1, 1993.

(3) The remainder of this act shall take effect immediately.

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, Mr. Flick.

Mr. FLICK. Thank you, Mr. Speaker.

Much has been said about the need to protect those truly in need. It is hard to disagree with this statement, and in fact, this amendment would do just this by recognizing the plight of those Pennsylvania workers who, through no fault of their own and as a result of tough economic times, have found themselves without a job. These workers have demonstrated by their work history that they have shown their commitment to being independent contributing members of society and are truly deserving of government assistance during these trying times. Unfortunately, however, existing law groups large numbers of these unemployed workers into the same welfare programs as individuals who possess no work history whatsoever, the transitionally needy category within the State's general assistance program.

This amendment will expand the State's so-called chronically needy program to include all those workers who were previously employed full time and have exhausted their unemployment compensation benefits. Specifically, it would remove the existing requirement that a worker must have been employed for 48 months out of the previous 8 years in order to be eligible for chronically needy general assistance.

At the same time this amendment would remove the traditionally needy. Currently, this program provides 90 days of cash assistance and unlimited medical assistance to single, able-bodied, and employable general assistance recipients. The transitionally needy qualify for 90 days of cash benefits per year and an indefinite period of medical assistance. Transitionally needy costs comprise nearly 20 percent of the total general assistance expenditure. Based on the Governor's projected numbers, the general assistance program will cost Pennsylvania taxpayers a total of \$353.64 million for this coming fiscal year. My amendment would save Pennsylvania taxpayers approximately \$190 million. That would be \$64 million in cash benefit payments and \$126 million in medical benefits.

Mr. Speaker, at this point in time when we have limited resources in this Commonwealth and you have seen your school districts go without additional funding for at least 1 year, I think it is prudent that we, the policymakers here in this chamber, look to whom we really ought to be helping out in

times of need: individuals who have worked, individuals who have a history of work experience and who failed to qualify for our cash assistance; or should we be looking to continue funding individuals who are between the ages of 18 and 45 years old, they are single with no dependents, and they have no prior work history.

Mr. Speaker, I choose that we fund those individuals who are unemployed as no result of their own. I choose that we add them to the chronically needy rolls and we eliminate the traditionally needy.

I urge your support for my amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes David Richardson of Philadelphia.

Mr. RICHARDSON. Mr. Speaker, this is a very slick amendment.

Mr. FLICK. Mr. Speaker, it is the Flick amendment.

Mr. RICHARDSON. I would think that it is important that people recognize and understand what is being done here.

Number one, this would gut the lien repeal bill altogether. It changes it from the present support code to a Public Welfare Code bill. When eliminating the transitionally needy program, it reauthorizes employment incentive payments to employers and inserts the lien collection provisions currently in the Support Law, establishes a special fund to provide support services under the Employment Opportunities Act, and then repeals that act altogether. It does away with the transitionally needy program for both cash and medical assistance.

If you thought Thornfare was bad, this is worse. Unemployment is at its highest point in this decade. TN's—those are transitionally needy persons—face various employment, unemployment, illiteracy, lack of job skills, no job history, poor communications, and inadequate social skills. Those on transitionally needy are the hardest segment of society to place in jobs, facing a market with few jobs available. Studies confirm that increased homelessness as well as eliminating all of the transitionally needy altogether would be terrible and devastating to this Commonwealth, and many of you who have counties where you have high-rate, double-digit unemployment, this impacts directly on you.

Two years after Thornfare was enacted, over 80 percent of the able-bodied had no places to find employment in this Commonwealth. To become employable, the TN's need educational opportunities, job training, and suitable jobs. The transitionally needy category is the last resort for many that have difficulty providing mental disability to qualify for other categories of assistance.

Finally, Mr. Speaker, average transitionally needy benefits are about \$195 a month and are not an incentive to stay on assistance. Recipients have no choice. TN is their safety net, the only viable place for them to go, only shifts the costs of sheltering and feeding TN's to local municipalities which have no resources to fill the gap.

Let me just finally add, Mr. Speaker, that this opens up the Public Welfare Code. Again, there are several bills that are on the floor of this House today that Representative Ryan and

others know directly impact on this lien law that does not have anything at all to do with opening up the Public Welfare Code, but this is a slick way of trying to gather you in and feel that you need to be hoodwinked into believing that this is your only out or going back home and saying that you did not vote for some of these ridiculous measures that have no more than punitive action being taken against those individuals who cannot defend themselves.

If you thought homelessness is bad now, I can tell you without question under the Flick amendment it would be 10 times worse. You think that people are sleeping on the grates now, have no place to go, have no place in which they can really hang their hat, so to speak, without shelter, without any food, and to do away with transitionally needy—all they get is 3 checks a month out of the year, period, \$615—to eliminate that altogether is a devastation and an impact that we cannot stand.

GERMANENESS QUESTIONED

Mr. RICHARDSON. Mr. Speaker, I raise the question of germaneness to HB 200 and its amendment A1234 that deals with the opening up of the Public Welfare Code, which is not germane to the Support Law that we have in front of us.

The SPEAKER. The gentleman raises a question of germaneness. According to rule 27, questions involving whether an amendment is germane are subject to the decision rendered by the House.

On the question,

Will the House sustain the germaneness of the amendments?

The SPEAKER. On that question, Mr. Evans is recognized.

Mr. EVANS. Mr. Speaker, I join the chairman of the Health and Welfare Committee in his expression of this not being germane to the current issue that we are debating under the Support Law.

Mr. Speaker, the members on the other side of the aisle as well as members on our side of the aisle will have a chance to deal with the Public Welfare Code. More so than that, Mr. Speaker, I should express to you that this is talking about an expansion of services in terms of medical assistance.

I would encourage that this issue is not germane, Mr. Speaker.

The SPEAKER. On the question of germaneness, Mr. Richardson is recognized.

Mr. RICHARDSON. Mr. Speaker, I already spoke on the matter.

The SPEAKER. The Chair thanks the gentleman.

Mr. Flick is recognized.

Mr. FLICK. Thank you, Mr. Speaker.

I would make one point. Prior to a lien going on a property, there must be expenditures of funds. Mr. Speaker, I would suggest that it is through the welfare payments that this debt is created, that this lien is therefore recorded. We are talking about—

POINT OF ORDER

Mr. RICHARDSON. Mr. Speaker, I raise a point of order, Mr. Speaker.

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

Mr. RICHARDSON. Mr. Speaker, the gentleman is not speaking to germaneness.

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

The SPEAKER. The only thing in order is the question of germaneness.

Mr. FLICK. Thank you.

Would the gentleman stand for a brief interrogation on germaneness?

The SPEAKER. If the gentleman so desires.

Mr. FLICK. Thank you, Mr. Speaker.

Mr. Speaker, the point that I was about to make was that—What is the source of the need to place a lien on a property which you are attempting to remove?

The SPEAKER. That question is not related to the germaneness issue that we are now discussing.

Mr. FLICK. Thank you, Mr. Speaker.

Then I would only suggest that I believe it is germane. We are dealing with expenditures of State funds. We are dealing with similar issues, and I think that we should support this. This is a very important bill to many people.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Strittmatter, is recognized.

Mr. STRITTMATTER. Thank you.

I would ask the members of the House to please vote that it is germane. I believe that this amendment is germane because it is dealing with the welfare system. Obviously, that is what we are all here for, why we have waited all day, ought to be here to vote. And then now to have us wait and wait and wait and then to say that they are not germane I think is hiding behind the issue. So I believe that this is relevant and it is germane, and I ask for a vote in the affirmative. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Those who believe that this is germane will vote "aye"; those who believe to the contrary will vote "no."

On the question recurring,

Will the House sustain the germaneness of the amendments?

(Members proceeded to vote.)

VOTES CHALLENGED

Mr. RYAN. Mr. Speaker?

The SPEAKER. The Chair recognizes the gentleman from Delaware County, Mr. Ryan.

Mr. RYAN. The mistake has been corrected.

The gentleman, Mr. Wright, is on the board, however.

The SPEAKER. The gentleman's vote has been stricken.

On the question recurring,

Will the House sustain the germaneness of the amendments?

The following roll call was recorded:

YEAS—98

Adolph	Farmer	Leh	Saurman
Allen	Fichter	Lynch	Saylor
Argall	Fleagle	Maitland	Scheetz
Armstrong	Flick	Marsico	Schuler
Baker	Gannon	Masland	Semmel
Barley	Geist	Micozzie	Serafini
Birmelin	Gerlach	Miller	Smith, B.
Boyes	Gladeck	Nailor	Smith, S. H.
Brown	Godshall	Nickol	Snyder, D. W.
Bunt	Gruppo	Nyce	Stairs
Bush	Harley	O'Brien	Steil
Cessar	Hasay	Perzel	Stern
Chadwick	Heckler	Pettit	Strittmatter
Civera	Hennessey	Phillips	Taylor, E. Z.
Clark	Herman	Piccola	Taylor, J.
Clymer	Hershey	Pitts	Tomlinson
Cohen, L. I.	Hess	Platts	True
Cornell	Hutchinson	Raymond	Tulli
Dempsey	Jadlowiec	Reber	Uliana
Dent	Kenney	Reinard	Vance
Druce	King	Rohrer	Waugh
Durham	Krebs	Rubley	Wogan
Egolf	Laub	Ryan	Wright, M. N.
Fairchild	Lawless	Sather	Zug
Fargo	Lee		

NAYS—98

Acosta	Evans	Linton	Roebuck
Battisto	Fajt	Lloyd	Rooney
Bebko-Jones	Fee	Lucyk	Rudy
Belardi	Freeman	Manderino	Santoni
Belfanti	Gamble	Markosek	Scrimenti
Bishop	George	Mayernik	Staback
Blaum	Gigliotti	McCall	Steelman
Butkovitz	Gordner	McGeehan	Steighner
Buxton	Gruitza	McNally	Stetler
Caltagirone	Hanna	Melio	Stish
Cappabianca	Hughes	Michlovic	Sturla
Carn	Itkin	Mihalich	Surra
Carone	James	Mundy	Tangretti
Cawley	Jarolin	Murphy	Thomas
Cohen, M.	Josephs	Olasz	Tigue
Colaifella	Kaiser	Oliver	Trello
Colaizzo	Kasunic	Pesci	Van Home
Corrigan	Keller	Petrarca	Veon
Cowell	Kirkland	Petrone	Vitali
Coy	Kukovich	Pistella	Williams
Curry	LaGrotta	Preston	Yandrisevits
Daley	Laughlin	Richardson	Yewcic
DeLuca	Lederer	Ritter	
Dermody	Lescovitz	Roberts	DeWeese,
Donatucci	Levdansky	Robinson	Speaker

NOT VOTING—3

Rieger	Trich	Wright, D. R.
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EXCUSED—4

Haluska	Merry	O'Donnell	Wozniak
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The SPEAKER. On the question of germaneness, the "yeas" are 98; the "nays" are 98.

On the question of germaneness, it is incumbent upon the individual and the vote attempting to make the measure nongermane to carry the vote. Since the vote was not carried and it was a tie, the measure is therefore germane.

The Chair rescinds the last sentence.

A reconsideration motion is being filed on the question of germaneness. The House will be at ease for 1 minute.

LEAVE OF ABSENCE

The SPEAKER. The Chair recognizes the majority caucus secretary, Mr. Steighner, who requests a temporary leave of absence for the gentleman, Mr. TRICH.

The Chair thanks the gentleman.

CONSIDERATION OF HB 200 CONTINUED

GERMANENESS OF AMENDMENT A1234 RECONSIDERED

The SPEAKER. The Chair is in receipt of a reconsideration motion filed by the gentleman, Mr. Richardson, and the gentleman, Mr. Evans. This reconsideration motion is on the question of germaneness. The germaneness is relative to amendment A1234. All those in favor of the reconsideration motion will vote "aye"; those opposed, "no."

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—187

Acosta	Fajt	Levdansky	Sather
Adolph	Fargo	Linton	Saurman
Allen	Farmer	Lloyd	Saylor
Argall	Fee	Maitland	Scheetz
Armstrong	Fichter	Manderino	Schuler
Baker	Fleagle	Markosek	Scrimenti
Barley	Flick	Marsico	Semmel
Battisto	Freeman	Mayernik	Serafini
Bebko-Jones	Gamble	McCall	Smith, B.
Belardi	Gannon	McGeehan	Smith, S. H.
Belfanti	Geist	Melio	Snyder, D. W.
Birmelin	George	Michlovic	Staback
Bishop	Gerlach	Micozzie	Stairs
Blaum	Gigliotti	Mihalich	Steelman
Boyes	Gladeck	Miller	Steighner
Brown	Godshall	Mundy	Steil
Bunt	Gordner	Murphy	Stern
Bush	Gruitza	Nailor	Stetler
Butkovitz	Gruppo	Nickol	Stish
Buxton	Hanna	Nyce	Strittmatter
Caltagirone	Harley	O'Brien	Sturla
Cappabianca	Hasay	Olasz	Surra
Carn	Heckler	Oliver	Tangretti
Carone	Hennessey	Perzel	Taylor, E. Z.
Cawley	Herman	Pesci	Taylor, J.
Cessar	Hershey	Petrarca	Thomas
Chadwick	Hess	Petrone	Tigue
Civera	Hughes	Pettit	Tomlinson
Clark	Hutchinson	Phillips	Trello
Clymer	Itkin	Piccola	True
Cohen, L. I.	Jadlowiec	Pistella	Tulli
Cohen, M.	James	Pitts	Uliana

Colafrilla	Josephs	Preston	Vance
Colaizzo	Kaiser	Raymond	Van Horne
Cornell	Kasunic	Reinard	Veon
Corrigan	Keller	Richardson	Vitali
Cowell	Kenney	Rieger	Waugh
Coy	Kirkland	Ritter	Williams
Curry	Krebs	Roberts	Wogan
Daley	Kukovich	Robinson	Wright, D. R.
DeLuca	LaGrotta	Roebuck	Wright, M. N.
Dempsey	Laughlin	Rohrer	Yandrisevits
Dent	Lawless	Rooney	Yewcic
Dermody	Lederer	Rubley	Zug
Donatucci	Lee	Rudy	
Durham	Leh	Ryan	DeWeese,
Evans	Lescovitz	Santoni	Speaker
Fairchild			

NAYS—10

Druce	King	Lynch	McNally
Egolf	Laub	Masland	Platts
Jarolin	Lucyk		

NOT VOTING—1

Reber

EXCUSED—5

Haluska	O'Donnell	Trich	Wozniak
Merry			

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

On the question recurring,
Will the House sustain the germaneness of the amendments?

PARLIAMENTARY INQUIRY

The SPEAKER. The gentleman, Mr. Gannon, is recognized.

Mr. GANNON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his point.

Mr. GANNON. This is after the fact, Mr. Speaker, but would not it have been more appropriate simply to remake a motion rather than reconsider a motion?

The SPEAKER. A reconsideration motion is in order and the Chair deemed it appropriate.

Mr. GANNON. Thank you, Mr. Speaker.

PARLIAMENTARY INQUIRY

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

Mr. SAURMAN. Point of inquiry, Mr. Speaker.

This is a reconsideration of the previous motion. Is that correct?

The SPEAKER. That is correct.

Mr. SAURMAN. Therefore, the motion that was made was that this is not germane.

The SPEAKER. The question was on germaneness, and it was a 98-to-98 vote.

Mr. SAURMAN. The motion was that the Flick amendment was not germane, and that is the reason that a 98-to-98 vote did not carry. Is that motion still, since we voted to reconsider the original motion, is it not still that the motion is that this Flick amendment is not germane, and therefore, in order for it to be successful, you would have to have 99 votes at least or at least a majority. Is that correct, Mr. Speaker?

The SPEAKER. The gentleman will yield momentarily.

The gentleman, Mr. Saurman, should note that the gentleman, Mr. Richardson, raised the general question of germaneness. When the Chair posed the question to the membership, the Chair, I believe, indicated that those who believed the measure was germane would vote "aye," those who believed it was nongermane would vote "no," and the resulting tie was 98-98. Now, the House has additional members in the hall of the House and we are hoping that another vote will make this a more clear distinction.

Mr. SAURMAN. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

On the question, is the Flick amendment A1234 to HB 200 germane or nongermane, those who believe that it is germane will vote "aye"; those who believe it is nongermane will vote "no."

On the question recurring,
Will the House sustain the germaneness of the amendments?

The following roll call was recorded:

YEAS—97

Adolph	Farmer	Leh	Saurman
Allen	Fichter	Lynch	Saylor
Argall	Fleagle	Maitland	Scheetz
Armstrong	Flick	Marsico	Schuler
Baker	Gannon	Masland	Semmel
Barley	Geist	Micozzie	Serafini
Birmelin	Gerlach	Miller	Smith, B.
Boyes	Gladeck	Nailor	Smith, S. H.
Brown	Godshall	Nickol	Snyder, D. W.
Bunt	Gruppo	Nyce	Stairs
Bush	Harley	O'Brien	Steil
Cessar	Hasay	Perzel	Stern
Chadwick	Heckler	Pettit	Strittmatter
Civera	Hennessey	Phillips	Taylor, E. Z.
Clark	Herman	Piccola	Taylor, J.
Clymer	Hershey	Pitts	Tomlinson
Cohen, L. I.	Hess	Platts	True
Cornell	Hutchinson	Raymond	Tulli
Dempsey	Jadlowiec	Reber	Uhiana
Dent	Kenney	Reinard	Vance
Druce	King	Rohrer	Waugh
Durham	Laub	Rubley	Wogan
Egolf	Lawless	Ryan	Wright, M. N.
Fairchild	Lee	Sather	Zug
Fargo			

NAYS—99

Acosta	Fajt	Linton	Roebuck
Battisto	Fee	Lloyd	Rooney
Bebko-Jones	Freeman	Lucyk	Rudy
Belardi	Gamble	Manderino	Santoni
Belfanti	George	Markosek	Scrimenti

Bishop	Gigliotti	Mayernik	Staback
Blaum	Gordner	McCall	Steelman
Butkovitz	Gruitz	McGeehan	Steighner
Buxton	Hanna	McNally	Stish
Caltagirone	Hughes	Melio	Sturla
Cappabianca	Itkin	Michlovic	Surra
Carn	James	Mihalich	Tangretti
Carone	Jarolin	Mundy	Thomas
Cawley	Josephs	Murphy	Tigue
Cohen, M.	Kaiser	Olasz	Trello
Colafella	Kasunic	Oliver	Van Horne
Colaizzo	Keller	Pesci	Veon
Corrigan	Kirkland	Petrarca	Vitali
Cowell	Krebs	Petrone	Williams
Coy	Kukovich	Pistella	Wright, D. R.
Curry	LaGrotta	Preston	Yandrisevits
Daley	Laughlin	Richardson	Yewcic
DeLuca	Lederer	Ritter	
Dermody	Lescovitz	Roberts	DeWeese,
Donatucci	Levdansky	Robinson	Speaker
Evans			

NOT VOTING—2

Rieger Stetler

EXCUSED—5

Haluska O'Donnell Trich Wozniak
Merry

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendments were declared not germane.

On the question recurring,
Will the House agree to the bill on third consideration?
Mr. FLICK offered the following amendments No. A1269:

Amend Title, page 1, lines 1 through 10, by striking out all of said lines and inserting

Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An act to consolidate, editorially revise, and codify the public welfare laws of the Commonwealth," providing for a job training program and establishing a timetable for implementation and for imposition of liens against the property of persons who have received assistance; and making a repeal.

Amend Bill, page 1, lines 13 through 15; page 2, lines 1 through 30; page 3, lines 1 through 17, by striking out all of said lines on said pages and inserting

Section 1. The act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, is amended by adding sections to read:

Section 214. Job Training Program.—(a) The department shall, by April 1, 1993, establish, implement and administer a three-year job training program with the ultimate goal of securing economic self-sufficiency for welfare recipients.

(b) The program shall contain the following:

(1) The program shall consist of four pilot projects located in counties in different geographical regions of this Commonwealth.

(2) The program shall consist of a minimum of six hundred hours of training which must include, but not be limited to, the following:

(i) The acquisition of sufficient educational skills in reading, writing and mathematics to enable the trainee to earn a general education diploma.

(ii) Training in job skills for a guaranteed job opening with a cooperating employer.

(iii) Acquisition of skills necessary to conduct successful interviews, acquire marketable work ethics, employ dependability and loyalty.

(iv) Such other areas including life management skills which the department deems important.

(3) Each program operator shall provide support services to trainees including, but not limited to, legal assistance, health care, day care and other educational and support services including transportation.

(4) Each program operator shall match trainees with existing job vacancies which pay wages and benefits sufficient to ensure the financial security of the trainee and any dependents to enable that trainee and dependents to remain free of any State assistance for at least one year.

(5) Each program operator may be an employer, a nonprofit association or corporation or any combination thereof.

(6) Payments by the department to a project operator shall be scheduled so that seventy-five percent of the contract price is paid during training and twenty-five percent after the trainee is employed continuously for a period of at least four months.

(c) Any requirement under State law or regulation shall be suspended in each county chosen to participate in this pilot program only for the duration of the pilot program. However, in no way shall this conflict with Federal job training requirements.

(d) Within eighteen months of the expiration of the pilot program, the department shall be required to contract for and complete an analysis of the pilot program results as measured not only against the goals of this legislation but also against the results of other Federal and State job training programs.

(e) In the event the analysis conducted for the department indicates that the pilot program has achieved the goals of this section and has resulted in a superior approach to other existing job training programs, the department shall be required to recommend changes to State law and regulations to permanently implement the components of the pilot program Statewide.

(f) The department shall promulgate regulations to implement the provisions of this section.

Section 436.1. Property of Persons Liable for Expenses Incurred for Support and Assistance.—(a) Except as limited by subsection (c), the real and personal property of any person shall be liable for the expenses of his support, maintenance, assistance and burial, and for the expenses of the support, maintenance, assistance and burial of the spouse and unemancipated minor children of such property owner, incurred by any public body or public agency, if such property was owned during the time such expenses were incurred, or if a right or cause of action existed during the time such expenses were incurred from which the ownership of such property resulted. Any public body or public agency may sue the owner of such property for moneys so expended, and any judgment obtained shall be a lien upon the said real estate of such person and be collected as other judgments, except as to the real and personal property comprising the home and furnishings of such person, which home shall be subject to the lien of such judgment but shall not be subject to execution on such judgment during the lifetime of the person, surviving spouse, or dependent children.

(b) Except as limited by subsection (c), any claim for the expenses of support, maintenance, assistance and burial of a person and for the support, maintenance, assistance and burial of his spouse and unemancipated minor children, held by any public body or public agency, shall have the same force and effect against the real and personal estate of a deceased person as other debts of a decedent, and shall be ascertained and recovered in the same manner.

(c) No lien may be imposed against the property of any individual or of his spouse on account of medical assistance for the aged paid or to be paid on his behalf, except pursuant to the judgment of a court on account of benefits incorrectly paid on behalf of such individual, and there shall be no adjustment or recovery from such individual's estate or from the estate of his spouse of any medical assistance for the aged correctly paid on behalf of such individual.

Section 2. Section 4 of the act of June 24, 1937 (P.L.2045, No.397), known as The Support Law, is repealed.

Section 3. This act shall take effect in 60 days.

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the Chair recognizes Mr. Flick.

Mr. FLICK. Mr. Speaker, could I have a moment, please?

The SPEAKER. The Chair accedes to that request.

AMENDMENTS WITHDRAWN TEMPORARILY

Mr. FLICK. Mr. Speaker, I would like to temporarily withdraw amendment 1269 and offer instead amendment 1202.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. FLICK offered the following amendments No. A1202:

Amend Title, page 1, lines 9 and 10, by striking out all of said lines and inserting

creating the Employment and Training Support Services Fund.

Amend Bill, page 1, lines 13 through 15; page 2, lines 1 through 30; page 3, lines 1 through 16, by striking out all of said lines on said pages and inserting

Section 1. The act of June 24, 1937 (P.L.2045, No.397), known as The Support Law, is amended by adding a section to read:

Section 4.1. Employment and Training Support Services Fund.—There is hereby established in the Treasury Department a special fund to be known as the Employment and Training Support Services Fund. Moneys received by the Commonwealth under section 4 of the act are to be deposited in the fund and shall be used for the purpose of providing supportive services and transitional financial assistance as required by the act of July 13, 1987 (P.L.342, No.65), known as the "Employment Opportunities Act."

Amend Sec. 3, page 3, line 17, by striking out "3" and inserting

2

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the Chair recognizes Mr. Flick.

Mr. FLICK. Thank you, Mr. Speaker.

At the present time, when liens are collected as a result of the death of an individual property owner or sale of a property, the moneys collected go into the General Fund, Mr. Speaker, the General Fund, to be spent along with every other nickel and dime the State has.

My amendment would have those moneys be placed in a special account. We would establish the Employment and Training Support Services Fund. It would be established in the Treasury Department, it would be a special fund, and it would be for use for employment and training support for individuals who are in need of financial assistance and individuals who have been on welfare and are looking for job training and are looking for support services.

So, Mr. Speaker, this is a very germane amendment. It takes the money out of the General Fund; puts the money into an account that is designated for training and support for those in need. Mr. Speaker, I urge support of this amendment.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Mr. Evans.

Mr. EVANS. Mr. Speaker, certainly what the gentleman puts forth sounds like a great idea. However, Mr. Speaker, the cost of this amendment is \$25 million to the General Fund, and, Mr. Speaker, I know that the gentleman, who also is a member of the Appropriations Committee, would not want to create a problem for the General Fund.

Mr. Speaker, we have had an opportunity to deal with this issue for the last 16 years about welfare liens. We need to vote down this particular amendment so that we will have the opportunity to support Chairman Richardson, Speaker DeWeese, and a number of other members about this very important issue. So I would ask that you vote "no" on this amendment because of the costs to the Commonwealth of Pennsylvania. Thank you, Mr. Speaker.

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

Mr. FARGO. Thank you, Mr. Speaker.

Would the previous speaker stand for interrogation, please, Representative Dwight Evans?

The SPEAKER. The Appropriations chairman indicates he will stand for interrogation. The gentleman may proceed.

Mr. FARGO. Mr. Speaker, would you detail to me a little bit as to how this would cost \$25 million to the General Fund?

Mr. EVANS. Mr. Speaker, if you look at your fiscal note, what I said in your fiscal note is revenues for the fund are collected under section 4 of the Support Law of 1937, which allows us to collect a certain amount of money. In addition to that, Mr. Speaker, we collect money from the liens.

If we do exactly what this gentleman is suggesting, Mr. Speaker, that will create a \$25-million hole for the General Fund by putting it in this Employment and Training Support Services Fund. Mr. Speaker, that \$25 million is needed for the purposes of operating the State's budget.

Mr. FARGO. Then I guess, Mr. Speaker, that what you are saying is that we collect approximately \$25 million per year on liens in Pennsylvania. Is that correct, Mr. Speaker?

Mr. EVANS. I would say no to you, Mr. Speaker, in relation to what you said about the aspect of the \$25 million being collected on liens. About \$7 million of it, Mr. Speaker, is in relation to liens.

Mr. FARGO. I am sorry. I misunderstood what you said. About \$7 million is from liens?

Mr. EVANS. Yes, Mr. Speaker.

Mr. FARGO. And the other \$18 million comes from what source, Mr. Speaker?

Mr. EVANS. Mr. Speaker, the rest of it would come from what we collect from judgment SSI (supplemental security income) payments, Mr. Speaker.

Mr. FARGO. Does that collection normally go into the General Fund?

Mr. EVANS. Yes, Mr. Speaker.

Mr. FARGO. Then I assume that if we pass this bill, that that is going to be a cost to our fund, to our General Fund, and I am talking about the bill itself but I think it has to do with the amendment also. That will mean that we are going to lose \$25 million in the General Fund if we pass the bill, the same way as what we are losing if we pass this amendment.

Mr. EVANS. No, Mr. Speaker. This issue only deals with the question of the welfare liens. I think that you have heard the chairman of the Health and Welfare Committee refer to why there is a need to remove the liens, and secondly, Mr. Speaker, this has been an issue in the Governor's welfare dependency task force, Mr. Speaker, that has been a problem that we have had in terms of removing people from public assistance.

Mr. FARGO. Then at the very minimum, the amount of money that we will lose because of the passage of the bill will be \$7 million, and we are going to, in your estimation, lose \$7 million because of this amendment. So it seems— Is that correct?

Mr. EVANS. Mr. Speaker, this amendment, as I repeated myself before, we lose \$25 million with this amendment, Mr. Speaker. With the bill we are talking about a loss of \$7 million.

But more than that, Mr. Speaker, what we are talking about is trying to find ways to remove people from public assistance. This has been an issue, Mr. Speaker, for the last 16 years that has passed this House and unfortunately has died in the Senate.

Mr. FARGO. Thank you, Mr. Speaker.

Mr. Speaker, could I make a short statement?

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

Mr. FARGO. It would seem that \$7 million out of this money is going to be lost if we pass the legislation itself, and it seems to me that that is not a valid argument then against this particular amendment. With that in mind, I would very much like to see you pass this amendment with the idea that it is going to provide a lot of funds for the retraining of welfare people and trying to keep those people or to get them off of the welfare system. If you defeat this amendment, you are defeating that possibility of trying to train these people who are on welfare and getting them off of the system.

I would appreciate a vote for this amendment.

The SPEAKER. The Chair thanks the gentleman.

The gentleman, Mr. Flick, is recognized for the second time. The gentleman yields.

Mr. Evans is recognized. Mr. Evans yields to Mr. Flick.

Mr. FLICK. Excuse me. The honorable gentleman from Philadelphia has always confused me at times. I thought he was saying that the bill dealt with the liens and the amount of money that came out of the liens and, therefore, it costs \$25 million, but then I heard the argument that he was giving to my colleague and he said that, no, it is only \$7 million out of the liens. And then I thought I just caught him signaling you, Mr. Speaker, that he wanted to speak again. So sometimes I get confused.

But he did indicate that I am a member of the Appropriations Committee, and I am a member of the Appropriations Committee, and I know in that committee right now there is a bill, HB 1390, that has a \$10-million bond issue to set up a fund like I am setting up in this amendment. As a matter of fact, we used the exact language out of his bill, which is to float a \$10-million bond issue to set up this fund. But, Mr. Speaker, we do not need to set up the fund. We already have the source of funds, but they are going into the General Fund budget.

We want to make certain that these funds are collected, and we believe it is a good, appropriate use of money to place it in training and support services. We do it, and we do it through this amendment.

Mr. Speaker, this is a good amendment. Parts of the amendment are contained in legislation that may or may not come out of the Appropriations Committee, but it certainly is the appropriate way to use these moneys.

Thank you, Mr. Speaker. I urge support of my amendment.

The SPEAKER. The Chair thanks the gentleman and recognizes Mr. Evans.

Mr. EVANS. Mr. Speaker, let me clarify myself for the gentleman from—

PARLIAMENTARY INQUIRY

Mr. STRITTMATTER. Mr. Speaker, I have a parliamentary inquiry first.

The SPEAKER. The gentleman is in order and should state his parliamentary inquiry.

Mr. STRITTMATTER. Mr. Speaker, is it not the tradition of the House that the sponsor of the amendment gets the last word and when the gentleman, Mr. Evans, yielded, that he gave up his right to speak a second time?

The SPEAKER. No.

Mr. STRITTMATTER. Then I would appeal that ruling and ask for you to explain, under what tradition of the House are you allowing Mr. Evans to speak after the prime sponsor has spoken?

The SPEAKER. Counsel advises that you only asked a parliamentary inquiry and I answered the inquiry, so the appeal at this juncture is inappropriate.

Will the gentleman yield momentarily, please.

The gentleman may proceed.

Mr. STRITTMATTER. Thank you, Mr. Speaker.

I had interrupted the previous speaker. I would apologize for that. I was hoping that the Speaker could set the trend for the rest of the evening and the rest of the session. Obviously we are going to have chaos on the House floor as we have had for the rest of this session since the beginning of time. I guess that we are not going to be operating under any rules any longer and that anybody can speak whenever they want to as long as it is the second time. Is that correct?

The SPEAKER. The Chair will do his best to maintain decorum at all times. The gentleman has alluded to a past tradition, and it is a worthy tradition, and it would be the

opinion of the Chair that in almost all cases, we will attempt to adhere to that practice.

Mr. STRITTMATTER. Thank you.

The SPEAKER. This was certainly not done gratuitously or purposefully, and the Chair would like to think that some of the gentleman's observations may possibly have been wide of the target.

Mr. STRITTMATTER. Thank you.

The SPEAKER. The Chair thanks the gentleman.

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

(A roll-call vote was taken but not announced.)

Mr. RYAN. Mr. Speaker?

The SPEAKER. The Chair recognizes the gentleman.

Mr. RYAN. Mr. Speaker, I thought I had an understanding with one of the staff people from the other side as to those people who have consistently been absent tonight so I would not have to embarrass anyone. Now, you keep popping up—

The SPEAKER. Does the gentleman wish to interrogate the floor leader?

Mr. RYAN. I would like to interrogate the people that are not here, but they are not here. And I do not want them voted.

The following roll call was recorded:

YEAS—97

Adolph	Farmer	Leh	Saurman
Allen	Fichter	Lynch	Saylor
Argall	Fleagle	Maitland	Scheetz
Armstrong	Flick	Marsico	Schuler
Baker	Gannon	Masland	Semmel
Barley	Geist	Micozzie	Serafini
Birmelin	Gerlach	Miller	Smith, B.
Boyes	Gladeck	Nailor	Smith, S. H.
Brown	Godshall	Nickol	Snyder, D. W.
Bunt	Gruppo	Nyce	Stairs
Bush	Harley	O'Brien	Steil
Cassar	Hasay	Perzel	Stern
Chadwick	Heckler	Pettit	Strittmatter
Civera	Hennessey	Phillips	Taylor, E. Z.
Clark	Herman	Piccola	Taylor, J.
Clymer	Hershey	Pitts	Tomlinson
Cohen, L. I.	Hess	Platts	True
Cornell	Hutchinson	Raymond	Tulli
Dempsey	Jadlowiec	Reber	Uliana
Dent	Kenney	Reinard	Vance
Druce	King	Rohrer	Waugh
Durham	Laub	Rublely	Wogan
Egolf	Lawless	Ryan	Wright, M. N.
Fairchild	Lee	Sather	Zug
Fargo			

NAYS—100

Acosta	Fajt	Lloyd	Roebuck
Battisto	Fee	Lucyk	Rooney
Bebko-Jones	Freeman	Manderino	Rudy
Belardi	Gamble	Markosek	Santoni
Belfanti	George	Mayernik	Scrimenti
Bishop	Gigliotti	McCall	Staback
Blaum	Gordner	McGeehan	Steelman
Butkovitz	Gruitza	McNally	Steighner
Buxton	Hanna	Melio	Stetler

Callagirone	Hughes	Michlovic	Stish
Cappabianca	Itkin	Mihalich	Sturla
Carn	James	Mundy	Surra
Carone	Jarolin	Murphy	Tangretti
Cawley	Josephs	Olasz	Thomas
Cohen, M.	Kaiser	Oliver	Tigue
Colaella	Kasunic	Pesci	Trello
Colaizzo	Keller	Petrarca	Van Horne
Corrigan	Kirkland	Petrone	Veon
Cowell	Krebs	Pistella	Williams
Coy	Kukovich	Preston	Wright, D. R.
Curry	LaGrotta	Richardson	Yandrisevits
Daley	Laughlin	Rieger	Yewcic
DeLuca	Lederer	Ritter	
Dermody	Lescovitz	Roberts	DeWeese,
Donatucci	Levdansky	Robinson	Speaker
Evans	Linton		

NOT VOTING—1

Vitali

EXCUSED—5

Haluska	O'Donnell	Trich	Wozniak
Merry			

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?

AMENDMENT A1327 RECONSIDERED

The SPEAKER. The gentleman, Mr. Ryan, is recognized on a reconsideration motion for amendment 1327 to HB 200, PN 1550. This amendment was defeated on the 3d day of May, and it is now asked to be reconsidered.

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

The following roll call was recorded:

YEAS—194

Acosta	Fajt	Levdansky	Rudy
Adolph	Fargo	Linton	Ryan
Allen	Farmer	Lloyd	Santoni
Argall	Fee	Lucyk	Sather
Armstrong	Fichter	Lynch	Saurman
Baker	Fleagle	Maitland	Saylor
Barley	Flick	Manderino	Scheetz
Battisto	Freeman	Markosek	Schuler
Bebko-Jones	Gamble	Marsico	Scrimenti
Belardi	Gannon	Masland	Semmel
Belfanti	Geist	Mayernik	Serafini
Birmelin	George	McCall	Smith, B.
Bishop	Gerlach	McGeehan	Smith, S. H.
Blaum	Gladeck	McNally	Snyder, D. W.
Boyes	Godshall	Melio	Staback
Brown	Gordner	Michlovic	Stairs
Bunt	Gruitza	Micozzie	Steelman
Bush	Gruppo	Mihalich	Steighner
Butkovitz	Hanna	Miller	Steil
Buxton	Harley	Mundy	Stern
Callagirone	Hasay	Murphy	Stetler
Cappabianca	Heckler	Nailor	Stish

Carn	Hennessey	Nickol	Strittmatter
Carone	Herman	Nyce	Sturla
Cessar	Hershey	O'Brien	Surra
Chadwick	Hess	Olasz	Tangretti
Civers	Hughes	Oliver	Taylor, E. Z.
Clark	Hutchinson	Perzel	Taylor, J.
Clymer	Itkin	Pesci	Thomas
Cohen, L. I.	Jadlowiec	Petrarca	Tomlinson
Cohen, M.	James	Petrone	Trello
Colaella	Jarolin	Pettit	True
Colaizzo	Josephs	Phillips	Tulli
Cornell	Kaiser	Piccola	Uliana
Corrigan	Kasunic	Pistella	Vance
Cowell	Keller	Pitts	Van Horne
Coy	Kenney	Platts	Veon
Curry	King	Preston	Vitali
Daley	Kirkland	Raymond	Waugh
DeLuca	Krebs	Reber	Williams
Dempsey	Kukovich	Reinard	Wogan
Dent	LaGrotta	Richardson	Wright, D. R.
Dermody	Laub	Ritter	Wright, M. N.
Donatucci	Laughlin	Roberts	Yandrisevits
Druce	Lawless	Robinson	Yewcic
Durham	Lederer	Roebuck	Zug
Egolf	Lee	Rohrer	
Evans	Leh	Rooney	DeWeese,
Fairchild	Lescovitz	Rubley	Speaker

NAYS—3

Cawley	Gigliotti	Tigue
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NOT VOTING—1

Rieger

EXCUSED—5

Haluska	O'Donnell	Trich	Wozniak
Merry			

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

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

The clerk read the following amendments No. A1327:

Amend Sec. 1 (Sec. 4), page 2, line 4, by inserting brackets before and after "subsection (c)" and inserting immediately thereafter

subsections (c) and (d)

Amend Sec. 1 (Sec. 4), page 3, by inserting between lines 7 and 8

(d) No lien may be imposed against the property of any individual for moneys received as set forth in subsection (a) until the individual has received such moneys for twelve cumulative, not consecutive, months. Such moneys received for less than twelve cumulative months shall be exempt from lien.

Amend Sec. 2 (Sec. 4.1), page 3, line 15, by inserting after "FROM"

twelve months of accumulated expenses secured by

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

The SPEAKER. On that question, the Chair recognizes the gentleman, Mr. Perzel.

Mr. PERZEL. Thank you, Mr. Speaker.

Mr. Speaker, as in Mary Shelley's book "Frankenstein," where the creation comes back and destroys the creator, we have a problem with the Department of Welfare in the Commonwealth of Pennsylvania. When this department was started in the years 1921-1922, the total cost of the department was \$325,000, Mr. Speaker. Today the Commonwealth spends \$9.6 billion on the Department of Welfare. Nine-point-six billion dollars, as my colleague from Philadelphia will tell you later on, is 47 percent of the entire State budget, Mr. Speaker, more than the Department of Education's budget, which is roughly 35 percent of the State budget. The goal, when I was elected to this body in 1978, was to try to get the Department of Education's funding up to 51 percent.

Mr. Speaker, I was taught that the way out of dependency was through an education. I was born in Germantown Hospital in Dave Richardson's district, in what is now Dave Richardson's district. Later on I was raised in Abbotsford project, which is currently Mr. O'Donnell's legislative district. I would like to think that I turned out okay, and my friends on the other side of the aisle may not quite agree with that statement, but I would like to feel that way.

Mr. Speaker, our side of the aisle was pleased that you were looking at meaningful welfare reform with cost containment. This reform should not be a political tool but a program for change. Just as Franklin Delano Roosevelt and the Democrats in 1932 took the 1928 Socialist presidential party platform of Social Security, unemployment compensation, and public works projects as their own—several worthwhile projects, I might add—we on this side of the aisle are pleased and proud that you have taken our ideas. We have always felt the need for meaningful welfare reform, reform that is efficient and effective. As a matter of fact, Representative Richardson asked for 25 copies of our book that we put out. It is called "Dependence to Dignity: Freedom from Welfare," which was issued in March of 1992. We just got tonight Mr. Richardson's book. We would have liked to have had a little bit of time to take a look at this, but we just got this tonight. If anybody on that side of the aisle has not seen this, we would be more than willing to provide you with a copy.

I would like to remind my friends on the other side of the aisle that it was a Republican Governor, a Republican House of Representatives, and a Republican Senator from Germantown, Senator Woodward, who was the first person in modern public office to talk about creating a department of welfare and did so in 1921.

Mr. Speaker, in conclusion, just as I said in the beginning with Mary Shelley's book "Frankenstein," we do not want to kill the creation, but we want to make sure that the creation is cost efficient and we want to make sure that the creation is effective. It is toward that end, Mr. Speaker, that we hope we can begin a meaningful welfare reform debate.

Now, my amendment, Mr. Speaker, simply says that you are allowed 12 months on welfare, not counted against you, if you really needed it. If you were really out of work, if you were really interested in finding a job, you are allowed an extra 12 months to find that job. And as I mentioned earlier,

Governor Casey told us all that job creation has been happening in Pennsylvania.

Now, we need at least this portion of the bill. It is somewhat of a compromise. No, I have not talked to anyone on the other side of the aisle, but at least it is somewhat of a compromise rather than doing away with it altogether. Mr. Evans said it creates a hole in the budget of \$8 million, or \$7 million if the figure is correct.

So I would urge a "yes" vote. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes David Richardson.

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

Mr. Speaker, I rise to oppose the Perzel amendment again, and I do so because this opens up the Public Welfare Code one more time.

Evidently the gentleman does not hear well or does not recognize what we are doing here tonight. This does not deal with the Support Law. This deals with opening up the Public Welfare Code law. Therefore, there are two different issues before us.

One is that we have debated this issue for 16 years cleanly, dealing only with the issue of welfare as it related to those persons who happen to be on welfare. Many of you, but for the grace of God, there go I. Many of us who are one paycheck away from welfare ourselves will sit around and talk and are hypocritical to the individual persons who in fact are needy out there today but think that this is another slick way of trying to feel that we can force this down the throats of those individuals who are asking for some subsistence to take care of themselves. Many of them worked on their job for 20 and 25 years, and all of a sudden now we have this innate feeling that we have to hold something against them because we think that we are so powerful and we have the push of our button to take them down. Well, I say shame on you, that there has got to be a time when we stand up and start dealing with reality as it really is.

Perhaps maybe you do not understand that this has nothing to do at all with the Public Welfare Code, and no matter how much you try to force it down our throats, this is the Support Law only dealing with those individuals who had to lose their home, in some instances, because they had to go on welfare because their job closed up in this State or because it left the State, Mr. Speaker. It does not deal with anything else. So all these little residency requirements that have nothing at all to do with what we are dealing with in this issue are being taken back, because many of you think that it is some kind of joke or game. It is not. We are dealing with people's lives here in this Commonwealth, and for once in our lives all we have to do is just vote the debate up or down on just the issue of the lien as we have done 16 other times. Then you can get on to the debate on the Welfare Code, which is what your minority leader has wanted for over 10 years. We are back to that point now. But let us not turn it into some fiasco tonight and deal with hurting those individual persons who for once we have an opportunity to pass this lien bill so that people will not have to

have this lien placed against their home because they were unfortunate because they lost their job.

Why do we want these houses to deteriorate? Why do we want communities to fall down? Would it not be better on the long end to make sure that they become productive citizens and can pay their taxes and take care of that house that is in Delaware County or Montgomery County or in Monessen or Luzerne County or Lackawanna County in the Commonwealth of Pennsylvania? It impacts on each and every one of your districts. That is why we wrote to this specifically. It deals with those areas — from the Mon Valley area, from Philadelphia, from the Eries, all across this Commonwealth of Pennsylvania.

We have been to Monroeville, Monessen. We have been out there. We know what it is like. And many of you who represent those districts know that those ladies and gentlemen who come from those districts certainly did not want to go on welfare, but now you are blaming them because they have had this bare-bones subsistence.

Well, I tell you to wake up; change your mind and your attitude for once. Give everybody who does not have a chance a break. Those who are little people, those who are your cousins, your uncles and your aunts, and some of your own family members who have had to resort to going on welfare because they lost their job, it is not their fault. Do not blame them tonight. Vote down the Perzel amendment.

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

Mr. FARGO. Yes, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. FARGO. Thank you, Mr. Speaker.

I would submit to the members of the Assembly here that the lien bill was originally passed to help homeowners, not to hurt homeowners. Prior to the establishment of the lien system, everyone had to pay down or get rid of all their assets or have no assets, with the exception of a very small amount, in order to qualify for welfare.

The idea of a lien on property was to make it so that someone who did own a home, but for some reason was out of work, could receive welfare for a limited or for a period of time and still maintain their residence. That was the purpose of the lien system in the first place.

If you take an example of two people who are earning \$20,000 a year and they are earning it for 10 years, both of them working at very good jobs, one person takes \$7,000 of his money and pays rent; spends the rest of it on his living expenses. The other person takes \$7,000 a year and buys a home or makes payments on the home. In a period of 20 years, he ends up with a home. The other fellow has nothing because he has been putting it into the rent system. Now both of them are laid off because the business that they are working for left town. Both of these gentlemen were hardworking people that we have to take into consideration and try to alleviate the problems that they have.

The one person who has been renting and has no money immediately qualifies for welfare. The other person, because

he has an asset worth \$20,000 as far as his home is concerned, did not qualify for welfare before we put in a lien system. That lien system was put in there to help him so he could keep that home, and that was the procedure, the idea being that if a person was on welfare for a short period of time, that he could at least keep his home and not have to sell his home, spend all his money down to zero, and then start realizing the benefits of welfare. Now, that was the idea of the welfare system.

What we have made is an attempt to make the lien system some horrible thing. I have heard that the problem here is because we have someone who works for a long period of time and loses his job, and I have sympathy for that person and so does Representative Perzel. Representative Perzel is saying in this amendment that you will have 1 year of welfare payments before we will have anything in the way of a lien applied to your home. And if you consider the fact that this person probably had 26 weeks of unemployment, he probably has a year and a half before he has to submit himself to the lien system.

Now, the lien system is there in order to give some incentive for that individual not to be on welfare, to try to find an additional job, because he wants to maintain his home free of a lien. It seems to me that this is one way in which to satisfy both sides — to satisfy the lien system and also to take care of the person who is on welfare.

In addition to that, of course, there is the matter of money. There is \$7 or \$8 million per year that is received and put into the tax fund that repays you and me and the taxpayers of Pennsylvania for the lien that was filed to that home. I think it is a fair system. I do not believe that we are putting it upon anyone or making it unfair to anyone. I believe personally that this is a really good way out, and that is to pass this amendment and give a person who is temporarily at a hardship, of no cause of his own, give him the opportunity not to have his home liened for an entire year, probably for a year and a half.

I would certainly, certainly consider that we should support this amendment and hope that you will see that way also. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman from Delaware County, Mr. Ryan.

Mr. RYAN. Thank you, Mr. Speaker.

Mr. Speaker, initially I would like to answer briefly one of the points raised by the gentleman, Mr. Richardson, who kept saying that he was fixing up the Welfare Code and the support code, as I understood him. This amendment is an amendment to the support code, which is what his bill is. His bill is touching an element of the support code, so there is no mixing up of the codes here. These are absolutely germane one to the other. They both refer to the same code.

Now, with respect to the welfare liens and whether or not they should or should not be excused, this amendment I think is really fair. First off, just to remind some people, the property cannot be foreclosed upon by this State as long as the person who incurred the lien is living there. And in fact it goes a step further. As long as the children of the person who

incurred the lien are living on that property, the State cannot foreclose on that property.

Now, what you have, you have, in my opinion, a situation where the children or the grandchildren, as the case may be, when the property is finally disposed of, they come out winners in a sense, because they maybe should have been taking care of their parents or grandparents instead of the State, and if the parents or the grandparents had been forced—which we do not do—if they had been forced to get rid of their assets to take care of themselves, there would have been no estate for them to inherit. Why should the taxpayer have to do that? I do not understand that.

Using the example that Mr. Fargo did but changing the facts a little, if the one set of people had been saving money each year, and let us assume they saved over a period of 15 years \$25,000 and then lost their job, and the other set of people bought the house with 25,000 dollars' worth of equity, the one family would have to use up their \$25,000 in savings before they could get any welfare relief compared to the homeowner who could go in and get welfare payments and who would now, if you would have your way, not have a lien on it. So there are equities working both ways on this.

I think forgiving the first 12 months of welfare payments takes care of the situation where a person has lost their job. It gives them a chance to get back on their feet. It does not penalize them for being hardworking people who have come up on abrupt bad times, and I think we should not penalize the rest of the people in Pennsylvania if it goes beyond that by forgiving the liens. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes the gentleman, Mr. Belfanti.

Mr. BELFANTI. Thank you, Mr. Speaker.

Mr. Speaker, after Mr. Fargo was finished with his remarks, I felt obligated to rise.

Those two families that Mr. Fargo talked about, he talked about right up to the point of where both of them had to go on welfare. The fact remains, however, that the family that blew their money, maybe spent it on rent, went to Atlantic City every month or whatever, and ended up not having any money, here we have a lien program in this State that is to benefit that person who owns a property; we will let him borrow against his property as opposed to disallowing him welfare. Well, if we take that one step farther, what happens to those two families when the individual goes back to work? The one, the hare, if you would, that spent his money, owes nothing back to the State. The person who has worked his entire life, purchased a home, has a lien that he needs to pay back.

Mr. Speaker, 47 States have banned welfare liens as a way of raising money and having welfare recipients pay back the State. It may have been a good concept, but it does not work.

Mr. Speaker, across this State, we have tens of thousands of properties that are vacant and are dilapidated and are falling down because liens have been handed down from generation to generation, until they grow so enormous that the person who resides in that property, with liens from his grandparents and perhaps his parents, has properties that have

20,000 or 30,000 dollars' worth of liens on them, and the property market value is less than that. So in order to spend a dime to rehabilitate or remodel that particular property, they need first to know that someday they are going to own it. If they cannot ever own it because they owe \$30,000 in liens and it is going to cost them \$10,000 or \$15,000 or \$20,000 to fix up, they are going to walk away from that property. Now the property goes off the tax rolls. Now we have lost it at the local level for a tax revenue source for our county commissioners and our school districts and our boroughs.

Mr. Speaker, if the Southern States, if the Midwestern States, and States far more conservative than Pennsylvania have seen the light as to why the lien system does not work, costs the taxpayers money over the long haul— And we even have a program, a State program, where the taxpayers fix up some of these properties that are lost through the tax rolls. I cannot think of the name of it off the top of my head; perhaps Representative Michlovic will help me. But we spend millions and millions of dollars a year, far in excess of \$7 million in that program, to try and rehabilitate properties that are walked away from by people who can never afford to own properties because of the tremendous liens on them.

The system might have been a good idea when it was first thought of in the 1930's, but subsequently, 47 other States have repealed the welfare lien laws. And this State should not do it for 1 year. The other 47 States did not do it for a year; they repealed it. It was a bad idea. And after they repealed it, people started taking pride in their properties, people started investing in their properties, people who got their jobs back started remodeling and fixing them up and putting them back on the tax rolls where they belong. This is a dumb idea to go to a 1-year forgiveness when the other 47 States have seen the error of their ways and have repealed the law completely.

I oppose the amendment, and I believe we ought to move quickly to final passage and get this albatross off the backs of the people who have worked their whole lives and, through no fault of their own, perhaps have lost a job, run out of unemployment, and have had to go on welfare. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes Mr. Daley from Washington County.

Mr. DALEY. Thank you, Mr. Speaker.

This amendment, quite honestly, is a fair amendment maybe in another place at another time in Pennsylvania's history but not at this time and not at this place, because as the minority leader said he wants, this amendment will really help get people's feet back on the ground. But in the last 10 years in Pennsylvania, we have lost over 500,000 jobs due to plants that have shut down. The coal miners, the steelworkers, the machinists, the textile workers—and you all know them because they are in your district—good taxpayers that owned their homes, that were on 26 weeks of unemployment compensation, now have to go on welfare because the jobs are not there.

Now, if the jobs were there in what I consider a turnstile economy where you go out one door and come back in and get a job, then this is a good amendment, but our economy is not

that way. Our population the last 10 years has not grown. Our people do not have that opportunity like other States.

This is a bad amendment, and right now it is a punitive amendment. When you have people like in Fayette County where 28 percent of the people live below the poverty level and in Greene County 29 percent and in Philadelphia 27 percent, it is telling you the jobs are not there. So no matter what you do, you have to have the jobs to make that amendment work.

The maker of this amendment said that he was born in Mr. Richardson's district and lived and was raised in Mr. O'Donnell's district and resides in his district. I submit to you, maybe he left those districts too soon to find out what really is going on to the poor people in Pennsylvania.

I ask for a "no" vote.

The SPEAKER. The gentleman, Mr. McNally, from Allegheny County is recognized.

Mr. McNALLY. Mr. Speaker, I rise to oppose the Perzel amendment.

I think one thing that strikes me in particular about the inadequacy and the wrongheadedness of this amendment is to consider one special class of people who are injured by this welfare lien as it exists today. That would be women, widows of deceased firefighters and police officers. These elderly women live in the city of Philadelphia, I will bet right in Mr. Perzel's district. They live in the city of Pittsburgh and in boroughs and cities and townships all across this Commonwealth. Their husbands worked in the police departments and fire departments at a time when they were not eligible for Social Security. They worked in public safety at a time when salaries were low and pensions were even lower. We are talking about elderly women who may only receive \$100 or \$200 a month from their deceased husband's pension. They rely on general assistance to help them pay their bills, to keep their homes that their husbands worked hard to buy.

What Mr. Perzel says in this amendment to those elderly women, those women whose husbands worked so hard, who put their lives on the line, what he says to them is, we will just give you a 12-month grace period.

I think it is wrong. I think that this situation as it exists today is a disgrace to this State, and for us to just throw these people a bone, knowing that they only get a few hundred dollars a month from their husband's pension, I think that is really shameful. I think that we can do better. I think that we can do more.

I think that the suggestion that has been made that somehow putting a lien on a person's property is good for them, that it helps them, I think it is absurd. The fact of the matter is that regardless of the rationale for this welfare lien decades ago, that rationale has disappeared. It is time to move on, it is time to progress, and it is time to get rid of the welfare lien. Thank you.

The SPEAKER. The gentleman, Mr. Fargo, for the second time.

Mr. FARGO. Thank you, Mr. Speaker.

I think we are probably confusing the purpose of welfare, and I do not really believe any of us really fully believe that welfare is to be a long-term way of life for one. We are talking here about allowing a year and maybe a year and a half before we do anything as far as a person's home is concerned, which is an asset that they are able to hold that someone who has spent their money does not.

Now, Mr. Belfanti suggested that a person who rents is blowing his money. I believe that a lot of people would disagree with that. He would also suggest that people run off to Atlantic City, and I think I tried to use an example of two people making \$20,000 a year and putting \$7,000 on a home as compared to putting \$7,000 in rent. I am not talking about people that go running around and throwing their money away as he would suggest that this person does, but really, his argument does not hold up at all when you consider the example that the minority leader gave you of a person who actually takes that \$7,000 and puts it in the bank and then has to spend that \$7,000 before he is eligible for welfare, and yet the person who owns the home has it.

What we are talking about, really facetious situations such as I have heard here already and the very last speaker, we can find those instances, but you know you could find some instances on the other side of this situation, too. You could find instances of someone who has inherited a \$200,000 home and is wealthy, as related to an awful lot of people in Pennsylvania, and yet that person would be eligible for welfare without any kind of payback in any way. I think that we could, if we wanted to, start looking for arguments like that, too, but I would prefer not to use those kinds of facetious arguments.

The facts are that this system that we have right now was for a good purpose, is still for a good purpose, in order to give the incentive for people to get off of welfare, and that the amendment that we are talking about right now is eminently fair and gives them that opportunity to have the time to get off of welfare. Thank you.

The SPEAKER. The Chair thanks the gentleman and recognizes George Saurman from Montgomery County.

Mr. SAURMAN. Thank you, Mr. Speaker.

I guess to be on the safe side, Mr. Speaker, I would like to ask if Representative Richardson could answer a question for me.

The SPEAKER. Does the gentleman, Mr. Richardson, yield to interrogation? The gentleman indicates that he does, and Mr. Saurman may proceed.

Mr. SAURMAN. Mr. Speaker, I am a cosponsor of this legislation, but as I look at it very closely, it is my understanding that what it does is to say that there cannot be a lien against the property because someone needs assistance. Is that correct?

Mr. RICHARDSON. I am sorry; I did not hear your question, Mr. Speaker.

Mr. SAURMAN. The legislation itself prohibits a lien or removes the lien for someone who is on assistance or is eligible for assistance.

Mr. RICHARDSON. It removes the lien on real property, sir, yes.

Mr. SAURMAN. Okay. Does it do anything about changing the eligibility requirements for assistance?

Mr. RICHARDSON. No, this does not change eligibility at all, Mr. Speaker. This is only on the liens on real property.

Mr. SAURMAN. Thank you, Mr. Speaker.

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

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

Mr. SAURMAN. Mr. Speaker, we have heard a lot of sad stories—and all of us, I am sure, are moved by them—of people who are in circumstances where they need assistance. What will have to happen if there are no changes in the requirements for eligibility is that the person who has real property will not then be eligible, there cannot be a lien, but they will have to spend that property down and gain the money.

Now, one might say temporarily you could go out and borrow, but try to borrow from the bank if you do not have wages coming in to repay that loan. They do not care that you have some equity in property. You cannot pay that loan back.

Now, you cannot pay the loan back, and you are not eligible for the assistance that everybody feels is necessary. This amendment says that if you are in that circumstance, for 1 year you can be eligible, will get the assets, will get the help that you need, and provides an outlet which is not available because you cannot go out and borrow without losing the equity that you had.

Mr. Speaker, this is not only, I think, a compromise but it is a big improvement over anything that would ever come from removing a lien, putting that person in the position of having to spend down their assets, particularly for those people who have worked and who will expect to go back and find some kind of employment somewhere to help them carry on their economic needs.

Mr. Speaker, I think that this amendment is necessary to do the things that I have heard people say they want to do and that to simply remove the lien without any change in the eligibility requirements would be a cruel hoax to the people who need assistance.

I would ask for support of this amendment. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman and recognizes Mr. Nailor.

Mr. NAILOR. Thank you, Mr. Speaker.

Mr. Speaker, I rise in support of this amendment.

Last session I voted against this bill. Since that time, I have taken the time to talk to literally dozens of individuals who found themselves in this position, many with the Mon Valley shirts on who I found out were from Dauphin County, many from my own district in Cumberland County, and they have very sad stories to tell, as Representative Saurman said, many through prolonged illnesses or a death in the family or perhaps a plant closing, and many times very messy divorces caused these people to be in this position. Most times I found that children are involved, and that makes the situation even worse.

I think most importantly though, when I talked to these individuals—and they had some very encouraging stories—they took the money to get back on their feet, and that was their intent, to get back on their feet. I asked them, would you also support us in true welfare reform? Would you help us to rid the system of abuse, to rid the system of fraudulent claims? They said they all were in favor of that. Not one said that they opposed getting rid of those who did not truly deserve, those who had no intent of getting off of the welfare system but rather would continue to be on it with no intent of getting back on their feet.

I think as representatives of the people who elected us and sent us here, we have a responsibility not only to provide to the needy in our districts but also to speak for the citizens and the taxpayers that elected us. We have to provide assurances, safeguards, that the system is not abused. This evening we have shot down every safeguard that has been offered. We have challenged its germaneness, we have challenged its constitutionality, or we voted it down after we harassed some people to change votes.

Mr. Speaker, we have to do something to provide for the truly needy, those who need this help to get back on their feet. I will stand next to you and I will vote for it, but we have to supply assurances and securities that the system is not abused and fraud does not continue.

Mr. Speaker, I ask you to support this amendment, which is step one to providing a good welfare system for those who truly are needy. Thank you.

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

The following roll call was recorded:

YEAS—97

Adolph	Farmer	Leh	Saurman
Allen	Fichter	Lynch	Saylor
Argall	Fleagle	Maitland	Scheetz
Armstrong	Flick	Marsico	Schuler
Baker	Gannon	Masland	Semmel
Barley	Geist	Micozzie	Serafini
Birmelin	Gerlach	Miller	Smith, B.
Boyes	Gladeck	Nailor	Smith, S. H.
Brown	Godshall	Nickol	Snyder, D. W.
Bunt	Gruppo	Nyce	Stairs
Bush	Harley	O'Brien	Steil
Cessar	Hasay	Perzel	Stern
Chadwick	Heckler	Pettit	Strittmatter
Civera	Hennessey	Phillips	Taylor, E. Z.
Clark	Herman	Piccola	Taylor, J.
Clymer	Hershey	Pitts	Tomlinson
Cohen, L. I.	Hess	Platts	True
Cornell	Hutchinson	Raymond	Tulli
Dempsey	Jadlowiec	Reber	Uliana
Dent	Kenney	Reinard	Vance
Druce	King	Rohrer	Waugh
Durham	Laub	Rubley	Wogan
Egolf	Lawless	Ryan	Wright, M. N.
Fairchild	Lee	Sather	Zug
Fargo			

NAYS—99

Acosta	Evans	Levdansky	Robinson
Battisto	Fajt	Linton	Roebuck
Bebko-Jones	Fee	Lloyd	Rooney
Belardi	Freeman	Lucyk	Rudy
Belfanti	Gamble	Manderino	Santoni
Bishop	George	Markosek	Scrimenti
Blaum	Gigliotti	Mayernik	Staback
Butkovitz	Gordner	McCall	Steelman
Buxton	Gruitza	McGeehan	Steighner
Caltagirone	Hanna	McNally	Stetler
Cappabianca	Hughes	Melio	Stish
Carn	Itkin	Michlovic	Sturla
Carone	James	Mihalich	Surra
Cawley	Jarolin	Mundy	Tangretti
Cohen, M.	Josephs	Murphy	Thomas
Colafranca	Kaiser	Olasz	Tigue
Colaizzo	Kasunic	Oliver	Trello
Corrigan	Keller	Pesci	Van Horne
Cowell	Kirkland	Petrarca	Veon
Coy	Krebs	Petrone	Vitali
Curry	Kukovich	Pistella	Williams
Daley	LaGrotta	Preston	Wright, D. R.
DeLuca	Laughlin	Richardson	Yandrisevits
Dermody	Lederer	Ritter	Yewcic
Donatucci	Lescovitz	Roberts	

NOT VOTING—2

Rieger DeWeese,
Speaker

EXCUSED—5

Haluska O'Donnell Trich Wozniak
Merry

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

The SPEAKER. Does the gentleman, Mr. Flick, have any additional amendments? The gentleman indicates that he does.

Mr. FLICK. Mr. Speaker, amendment 1269.

The SPEAKER. The clerk will please read the Flick amendment.

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

Mr. FLICK reoffered the following amendments No. A1269:

Amend Title, page 1, lines 1 through 10, by striking out all of said lines and inserting

Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An act to consolidate, editorially revise, and codify the public welfare laws of the Commonwealth," providing for a job training program and establishing a timetable for implementation and for imposition of liens against the property of persons who have received assistance; and making a repeal.

Amend Bill, page 1, lines 13 through 15; page 2, lines 1 through 30; page 3, lines 1 through 17, by striking out all of said lines on said pages and inserting

Section 1. The act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, is amended by adding sections to read:

Section 214. Job Training Program.—(a) The department shall, by April 1, 1993, establish, implement and administer a three-year job training program with the ultimate goal of securing economic self-sufficiency for welfare recipients.

(b) The program shall contain the following:

(1) The program shall consist of four pilot projects located in counties in different geographical regions of this Commonwealth.

(2) The program shall consist of a minimum of six hundred hours of training which must include, but not be limited to, the following:

(i) The acquisition of sufficient educational skills in reading, writing and mathematics to enable the trainee to earn a general education diploma.

(ii) Training in job skills for a guaranteed job opening with a cooperating employer.

(iii) Acquisition of skills necessary to conduct successful interviews, acquire marketable work ethics, employe dependability and loyalty.

(iv) Such other areas including life management skills which the department deems important.

(3) Each program operator shall provide support services to trainees including, but not limited to, legal assistance, health care, day care and other educational and support services including transportation.

(4) Each program operator shall match trainees with existing job vacancies which pay wages and benefits sufficient to ensure the financial security of the trainee and any dependents to enable that trainee and dependents to remain free of any State assistance for at least one year.

(5) Each program operator may be an employer, a nonprofit association or corporation or any combination thereof.

(6) Payments by the department to a project operator shall be scheduled so that seventy-five percent of the contract price is paid during training and twenty-five percent after the trainee is employed continuously for a period of at least four months.

(c) Any requirement under State law or regulation shall be suspended in each county chosen to participate in this pilot program only for the duration of the pilot program. However, in no way shall this conflict with Federal job training requirements.

(d) Within eighteen months of the expiration of the pilot program, the department shall be required to contract for and complete an analysis of the pilot program results as measured not only against the goals of this legislation but also against the results of other Federal and State job training programs.

(e) In the event the analysis conducted for the department indicates that the pilot program has achieved the goals of this section and has resulted in a superior approach to other existing job training programs, the department shall be required to recommend changes to State law and regulations to permanently implement the components of the pilot program Statewide.

(f) The department shall promulgate regulations to implement the provisions of this section.

Section 436.1. Property of Persons Liable for Expenses Incurred for Support and Assistance.—(a) Except as limited by subsection (c), the real and personal property of any person shall be liable for the expenses of his support, maintenance, assistance and burial, and for the expenses of the support, maintenance, assistance and burial of the spouse and unemancipated minor children of such property owner, incurred by any public body or public agency, if such property was owned during the time such expenses were incurred, or if a right or cause of action existed during the time such expenses were incurred from which the ownership of such property resulted. Any public body or public agency may sue the owner of such property for moneys so expended, and any judgment obtained shall be a lien upon the said real estate of such person and be collected as other judgments, except as to the real and personal property comprising the home and furnishings of such person, which home shall be subject to the lien of such judgment but shall not be subject to execution on such judgment during the lifetime of the person, surviving spouse, or dependent children.

(b) Except as limited by subsection (c), any claim for the expenses of support, maintenance, assistance and burial of a person and for the support, maintenance, assistance and burial of his spouse and unemancipated minor children, held by any public body or public agency, shall have the same force and effect

against the real and personal estate of a deceased person as other debts of a decedent, and shall be ascertained and recovered in the same manner.

(c) No lien may be imposed against the property of any individual or of his spouse on account of medical assistance for the aged paid or to be paid on his behalf, except pursuant to the judgment of a court on account of benefits incorrectly paid on behalf of such individual, and there shall be no adjustment or recovery from such individual's estate or from the estate of his spouse of any medical assistance for the aged correctly paid on behalf of such individual.

Section 2. Section 4 of the act of June 24, 1937 (P.L.2045, No.397), known as The Support Law, is repealed.

Section 3. This act shall take effect in 60 days.

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

The SPEAKER. On the amendment, the gentleman, Mr. Flick, is recognized.

Mr. FLICK. Thank you, Mr. Speaker.

Earlier this evening I tried to give this august body the opportunity to vote for Pennsylvania's workers who have met with unemployment, the hard times we heard about, but this august body did not see fit to give them the opportunity to collect some cash assistance.

I rise now to try to provide job training for those individuals who are collecting cash assistance. The program would establish a job training program within the department. It would consist of four pilot projects located in counties of different geographic regions of the Commonwealth. The program would consist of a minimum of 600 hours of training, which must include, but not be limited to, the acquisition of sufficient educational skills in reading, writing, and mathematics to enable trainees to earn a general education diploma.

Mr. Speaker, the program to which I refer is successfully implemented in our sister State, Ohio. It is called Cleveland Works. Last term, Mr. Speaker, I had David W. Roth, who is the executive director of Cleveland Works, come to Pennsylvania and testify at a hearing, and he testified how the public sector and the private sector got together and identified jobs. The private sector went out and helped raise money to fund training for these jobs. The private sector was able to put together a program to train individuals for real-life jobs that were there. He had commitments from the private sector to employ people.

Mr. Speaker, this is the kind of job training program that Pennsylvania needs, and I urge your support for my amendment.

GERMANENESS QUESTIONED

The SPEAKER. The gentleman, Mr. Richardson, is recognized.

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

Mr. Speaker, this is another attempt to open up the Public Welfare Code.

Now, it is ironic that many of you will not realize that many of those individuals who are here tonight will in fact be voting in favor of the Flick amendment on the other side of the

aisle, but when it comes down to giving jobs to people in Pennsylvania, they will be voting against that and other measures that are going to come up later on tonight. I want to point that out as an observation.

The other thing is that this is going to cost us an additional \$5 million. It does not matter that the extra cost that is being applied here is tacking onto that which is already an increase in what is considered the General Fund, raised by the gentleman in the back of the room in an earlier debate, but in fact, many of you do not know that the Federal law also indicates that since there is Federal matching, half of that money has got to go back to the Feds even after that is collected, so it reduces it down to about \$4.3 million. But I want to indicate that after abolishing the Federal requirement jobs program, this amendment creates a program for undefined eligibility which does not qualify for Federal funding.

Mr. Speaker, I would like to raise the question of germaneness again, because it opens up the Public Welfare Code and does not deal with the Support Law at all dealing with HB 200.

Mr. Speaker, I make a motion again on the question of germaneness to A1269, that this amendment is not germane to HB 200.

The SPEAKER. The Chair thanks the gentleman, and according to rule 27, the question of germaneness will be decided by the House.

On the question,

Will the House sustain the germaneness of the amendments?

The SPEAKER. On that question, the gentleman, Mr. Strittmatter, is recognized.

Mr. STRITTMATTER. Thank you, Mr. Speaker.

As has become the custom in the House, many times issues that we want to have discussed are not able to be because those bills languish in committee. As we heard the maker of this amendment speak earlier, this bill was introduced last year. It has been around last session to this session with no action.

We heard the previous speaker, Representative Richardson, at the same time making the point against this amendment and then at the end moving that it is not germane, stating the fact that, well, we have to separate out these codes. Well, we have not had an opportunity, and this is not the only code, Public Welfare, that has not come up in the past.

We had many promises before with Education Code bills that we would be allowed to address certain issues that we brought forth, and time and time again, that is not the case. We all know that in this legislative body we deal with legislative vehicles. There are only those small amount of bills that ever make it to the Governor's desk.

I would contend that if we do not vote on this, Mr. Speaker, especially on the other side of the aisle, that those votes that you will be making to the other bills have no chance of making it to the Governor's desk. This is a ploy that has been used over many, many years, and I want to point it out to the House members so that they are not surprised when they

vote for welfare reform on other bills which will never become law.

This is the bill that is on the fast track. This is the bill that is going to become law. If you want to deal with welfare reform, then you better deal with it on this bill, because there are no guarantees just because the other bills come up—

POINT OF ORDER

Mr. RICHARDSON. Mr. Speaker, point of order.

The SPEAKER. The gentleman, Mr. Richardson, is recognized. The gentleman will yield momentarily. The gentleman, Mr. Richardson, rises. For what point does the gentleman rise?

Mr. RICHARDSON. Mr. Speaker, I raise a point of order.

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

Mr. RICHARDSON. Mr. Speaker, I raise a point of order on whether or not the gentleman is speaking to germaneness, which is the motion before this House.

The SPEAKER. The gentleman will respectfully keep his observations to the question of germaneness. The gentleman may proceed.

Mr. STRITTMATTER. The reason that this amendment is germane is the fact that it deals with welfare reform. That is what has been touted by the Democratic majority that we are going to be dealing with, welfare reform, tonight, and that is what we are dealing with, welfare reform.

I would please ask the members to remember what I said, that there are only so many bills that will become law and this bill is germane, and if it is not germane, you run the risk of not having this bill included in the package. What will happen is, I think there have been only two or three bills that have made it to the Governor's desk so far.

I believe this amendment is germane to the bill because it addresses welfare reform, and I would please ask the members to keep that in mind when you are talking about legislative vehicles and how the legislature works and worrying about bills that become law. I would please ask for a vote in the affirmative. Thank you.

The SPEAKER. The Chair thanks the gentleman.

Those who believe that this measure is germane will vote in the affirmative; those who believe it is not germane will vote in the negative.

On the question recurring,

Will the House sustain the germaneness of the amendments?

The following roll call was recorded:

YEAS—97

Adolph	Farmer	Leh	Saurman
Allen	Fichter	Lynch	Saylor
Argall	Fleagle	Maitland	Scheetz
Armstrong	Flick	Marsico	Schuler
Baker	Gannon	Masland	Semmel
Barley	Geist	Micozzie	Serafini

Birmelin	Gerlach	Miller	Smith, B.
Boyes	Gladeck	Nailor	Smith, S. H.
Brown	Godshall	Nickol	Snyder, D. W.
Bunt	Gruppo	Nyce	Stairs
Bush	Harley	O'Brien	Steil
Cessar	Hasay	Perzel	Stern
Chadwick	Heckler	Pettit	Strittmatter
Civera	Hennessey	Phillips	Taylor, E. Z.
Clark	Herman	Piccola	Taylor, J.
Clymer	Hershey	Pitts	Tomlinson
Cohen, L. I.	Hess	Platts	True
Cornell	Hutchinson	Raymond	Tulli
Dempsey	Jadlowiec	Reber	Uliana
Dent	Kenney	Reinard	Vance
Druce	King	Rohrer	Waugh
Durham	Laub	Rublely	Wogan
Egolf	Lawless	Ryan	Wright, M. N.
Fairchild	Lee	Sather	Zug
Fargo			

NAYS—98

Acosta	Fajt	Lloyd	Rooney
Battisto	Fee	Lucyk	Rudy
Bebko-Jones	Freeman	Manderino	Santoni
Belardi	Gamble	Markosek	Scrimenti
Belfanti	George	Mayermik	Staback
Bishop	Gighotti	McCall	Steelman
Blaum	Gordner	McGeehan	Steighner
Butkovitz	Gruitza	McNally	Stetler
Buxton	Hanna	Melio	Stish
Caltagirone	Hughes	Michlovic	Sturla
Cappabianca	Itkin	Mihalich	Surra
Carn	James	Mundy	Tangretti
Cawley	Jarolin	Murphy	Thomas
Cohen, M.	Josephs	Olasz	Tigue
Colafrilla	Kaiser	Oliver	Trello
Colaizzo	Kasunic	Pesci	Van Horne
Corrigan	Keller	Petrarca	Veon
Cowell	Kirkland	Petrone	Vitali
Coy	Kukovich	Pistella	Williams
Curry	LaGrotta	Preston	Wright, D. R.
Daley	Laughlin	Richardson	Yandrisevits
DeLuca	Lederer	Ritter	Yewcic
Dermody	Lescovitz	Roberts	
Donatucci	Levdansky	Robinson	DeWeese,
Evans	Linton	Roebuck	Speaker

NOT VOTING—3

Carone	Krebs	Rieger
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EXCUSED—5

Haluska	O'Donnell	Trich	Wozniak
Merry			

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendments were declared not germane.

POINT OF ORDER

Mr. DALEY. Point of order.

The SPEAKER. The gentleman, Mr. Daley, is recognized. The gentleman will state his point of order.

Mr. DALEY. I guess maybe it is a parliamentary inquiry, Mr. Speaker.

I thought the rules of the House said that when a member was in the House and on the floor, he or she must vote.

The SPEAKER. That is the rule.

The gentleman, Mr. Ryan, is recognized.

Mr. RYAN. Mr. Speaker, I apologize; I did not hear that last point of parliamentary inquiry. I was standing over on the other side of the room.

The SPEAKER. The gentleman, Mr. Daley, from Washington County inquired to the Chair as to whether it was in our rules that when a member was on the floor of the House, it was incumbent upon that member to cast a "yes" or a "no" vote. He was responded to in the affirmative.

Mr. RYAN. Well, a response in the affirmative simply says nothing.

The SPEAKER. The Chair would respectfully disagree. A response in the affirmative is that the member is supposed to vote. That would be the answer to the question.

Mr. RYAN. And what happens if they do not? Maybe that is the part that is missing.

The SPEAKER. The gentleman will yield momentarily.

The Parliamentarian advises me that the correct procedure would be, sir, that the member be alerted to the fact that the member was not voting prior to the closing of the vote, and if that was not successful, then that person would then be instructed to please vote. Now, to carry it on further obviously would entail some more dialogue here at the rostrum. If the gentleman wishes that that be the case, I will accede.

Mr. RYAN. Mr. Speaker, I am not asking that you rush into something like this, but perhaps the Parliamentarian, in a slow moment, might turn to one of the many books that he carries with him and look that up just to satisfy my curiosity.

The SPEAKER. The gentleman's question is worthy, and the Parliamentarian will be instructed to pursue this arcane aspect of our procedures.

On the question recurring,

Will the House agree to the bill on third consideration?

Mr. FLICK offered the following amendments No. A1270:

Amend Title, page 1, lines 1 through 10, by striking out all of said lines and inserting

Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An act to consolidate, editorially revise, and codify the public welfare laws of the Commonwealth," providing for imposition of liens against the property of persons who have received assistance; establishing a random drug testing program for public assistance recipients; providing for powers and duties of the Department of Public Welfare, for retesting and for protective custody of aid to families with dependent children; and making a repeal.

Amend Bill, page 1, lines 13 through 15; page 2, lines 1 through 30; page 3, lines 1 through 17, by striking out all of said lines on said pages and inserting

Section 1. The act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, is amended by adding a section to read:

Section 436.1. Property of Persons Liable for Expenses Incurred for Support and Assistance.—(a) Except as limited by subsection (c), the real and personal property of any person shall be liable for the expenses of his support, maintenance, assistance and burial, and for the expenses of the support, maintenance, assistance and burial of the spouse and unemancipated minor

children of such property owner, incurred by any public body or public agency, if such property was owned during the time such expenses were incurred, or if a right or cause of action existed during the time such expenses were incurred from which the ownership of such property resulted. Any public body or public agency may sue the owner of such property for moneys so expended, and any judgment obtained shall be a lien upon the said real estate of such person and be collected as other judgments, except as to the real and personal property comprising the home and furnishings of such person, which home shall be subject to the lien of such judgment but shall not be subject to execution on such judgment during the lifetime of the person, surviving spouse, or dependent children.

(b) Except as limited by subsection (c), any claim for the expenses of support, maintenance, assistance and burial of a person and for the support, maintenance, assistance and burial of his spouse and unemancipated minor children, held by any public body or public agency, shall have the same force and effect against the real and personal estate of a deceased person as other debts of a decedent, and shall be ascertained and recovered in the same manner.

(c) No lien may be imposed against the property of any individual or of his spouse on account of medical assistance for the aged paid or to be paid on his behalf, except pursuant to the judgment of a court on account of benefits incorrectly paid on behalf of such individual, and there shall be no adjustment or recovery from such individual's estate or from the estate of his spouse of any medical assistance for the aged correctly paid on behalf of such individual.

Section 2. Article IV of the act is amended by adding a subarticle to read:

ARTICLE IV
PUBLIC ASSISTANCE
* * *

(g.1) Public Assistance Recipient Drug Testing.

Section 451.1. Short Title.—This subarticle shall be known and may be cited as the Public Assistance Recipient Drug Testing Act.

Section 451.2. Definitions.—The following words and phrases when used in this subarticle shall have the meanings given to them in this section unless the context clearly indicates otherwise:

"AFDC" means the program which provides aid to families with dependent children.

"Drug" means a substance, other than alcohol, that has known mind-altering or function-altering effects on a human being. The term includes a controlled substance as defined in section 802(6) of the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 21 U.S.C. § 301 et seq.), a substance listed in 21 CFR 1308 (relating to schedules of controlled substances), a controlled substance as defined in section 4 of the act of April 14, 1972 (P.L.233, No.64), known as "The Controlled Substance, Drug, Device and Cosmetic Act," and a controlled substance analog or volatile substance which produces the psychological and physiological effects of a controlled substance through deliberate inhalation, ingestion or injection.

"Drug test" means a test, whether random or follow-up, administered for the purpose of determining the presence or absence of drugs within a person's body.

"Prescription or nonprescription medication" means a drug prescribed for use by a physician or other medical practitioner licensed to issue prescriptions or a drug that is authorized for general distribution and use in the treatment of human diseases or injuries under the Federal Food, Drug, and Cosmetic Act (52 Stat. 1040, 21 U.S.C. § 301 et seq.).

"Public assistance" means assistance granted under the provisions of section 432 including, but not limited to, general assistance and AFDC. With regard to an AFDC recipient, the term shall refer to only that portion of the family AFDC grant specifically allocated by formula to the recipient.

Section 451.3. Drug Testing Program.—(a) There is hereby established within the department a random drug testing program for public assistance recipients.

(b) The department shall:

(1) Determine what types of drug tests are appropriate to detect drug usage by individuals.

(2) Establish procedural and methodological standards for technical aspects of the drug tests, including, but not limited to, procedural guidelines to ensure the integrity of the chain of custody, acceptability standards for the margins of error associated with particular tests and concentration or volume thresholds at which a drug test result may be deemed a positive test result for a given drug.

(3) Monitor the performance of laboratories and personnel to assure compliance with this act and regulations promulgated under this section.

(4) Designate approved drug rehabilitation programs.

(5) Provide for notice to the public assistance recipient of the consequences of refusing to submit to the drug test, of failing the drug test or of refusing to participate in an approved drug rehabilitation program.

(6) Establish a procedure whereby the public assistance recipient may submit medical documentation to verify the recipient's use of prescription or nonprescription medication. Verification, however, shall not preclude the administration of the drug test.

(7) Provide for and develop the necessary procedures to implement the follow-up testing required under section 6.

(8) Establish and develop the necessary procedures to effectuate the provisions in section 451.7 that provide for protective custody of certain AFDC children.

Section 451.4. Failure of Drug Test.—(a) A public assistance recipient shall not use a drug.

(b) A public assistance recipient who is determined to have used a drug which is not a prescription or nonprescription medication or which usage is in violation of any Federal or State law or regulation shall be required to participate immediately in a department-approved drug rehabilitation program. If the recipient agrees to participate in the program, the public assistance received by that recipient shall continue for as long as the recipient otherwise qualifies for the assistance, except as provided in subsection (c), but not beyond any applicable eligibility period specified in this Code.

(c) If the recipient refuses to participate in a drug rehabilitation program or fails to successfully complete the program, then the recipient shall no longer receive public assistance until the recipient resubmits to the drug test, tests drug free and otherwise qualifies for assistance.

Section 451.5. Refusal to Submit to Drug Tests.—A public assistance recipient who refuses to submit to drug testing shall not receive assistance until the recipient submits to the test, tests drug free and otherwise qualifies for assistance.

Section 451.6. Retesting.—A public assistance recipient who tests positive for drug use who enters and successfully completes a drug rehabilitation program or submits to testing and tests drug free after initially refusing to submit to testing, refusing to participate in a drug rehabilitation program upon testing positive or failing to successfully complete a drug rehabilitation program shall be subject to follow-up drug testing on a quarterly basis for one year, provided the recipient is still receiving assistance at the time of retesting.

Section 451.7. Protective Custody for AFDC Children.—(a) In cases where an AFDC recipient determined to have used a drug in violation of this act is a single parent, the department shall notify the child protective service agency in the recipient's county of domicile, which shall perform an investigation regarding the impact the exposure to illicit drug use may have on the child or children residing in the recipient's household. If it is determined that an adverse impact exists, the agency shall seek to obtain protective custody of the child or children, in accordance with the provisions of 23 Pa.C.S. § 6315(b), (c), (d), (e) and (f) (relating to taking child into protective custody).

(b) In any hearing regarding protective custody held pursuant to 23 Pa.C.S. § 6315 or departmental regulations, there shall be a rebuttable presumption that the impact of the exposure to illicit drug use amounts to abuse under 23 Pa.C.S. Ch. 63 (relating to child protective services) and that protective custody is warranted.

(c) Children held in protective custody pursuant to this section shall be released to the public assistance recipient upon proof that the recipient has successfully completed a drug rehabilitation program.

Section 451.8. Licensed Laboratories.—Drug tests shall only be administered through laboratories licensed by the Department of Health under the act of September 26, 1951 (P.L.1539, No.389), known as "The Clinical Laboratory Act," or licensed under the Clinical Laboratories Improvement Act of 1967 (Public Law 90-174, 81 Stat. 533), and approved by the Department of Health.

Section 451.9. Hearings.—A public assistance recipient shall be afforded the opportunity for a hearing in accordance with 2 Pa.C.S (relating to administrative law and procedure) prior to the termination of assistance.

Section 451.10. Penalties.—A person who administers a drug test which, in its methodologies or procedures, violates this act shall be assessed a civil penalty of not less than two hundred fifty dollars (\$250) nor more than five hundred dollars (\$500). For purposes of this section, a failure to use approved test methods or procedures on a single sample shall constitute a separate offense.

Section 451.11. Rules and Regulations.—The department shall promulgate rules and regulations to carry out the provisions of this subarticle.

Section 451.12. Federal Waivers.—Within 90 days of the effective date of this subarticle, the department shall submit to the appropriate Federal agency a request for any and all waivers of Federal law and regulations and for any other approvals by the Federal Government necessary for the implementation of this subarticle. It shall be the obligation of the department to enter into good faith negotiations with the appropriate Federal authorities and to make every effort to obtain the necessary Federal waivers and approvals.

Section 3, Section 4 of the act of June 24, 1937 (P.L.2045, No.397), known as The Support Law, is repealed.

Section 4. This act shall take effect as follows:

(1) Sections 436.1, 451.11 and 451.12 of the act shall take effect immediately.

(2) The remainder of this act shall take effect in 12 months.

On the question,

Will the House agree to the amendments?

The SPEAKER. On that question, the Chair recognizes the gentleman from Montgomery County, Mr. Flick.

Mr. FLICK. Thank you, Mr. Speaker.

Close. Chester and Delaware Counties.

The SPEAKER. The Chair apologizes to the gentleman. The Chair apologizes to the gentleman.

Mr. FLICK. Not far from Montgomery County. I have many, many good friends in Montgomery County. Some of them are sitting right around me here.

Mr. Speaker, the amendment A1270 would be an attempt to deal with a group of individuals in need of help. The past quarter of a century of welfare policy has been driven by a no-questions-asked philosophy, where public assistance is given to all qualified individuals regardless of whether they made any real effort to improve their own financial and social condition. This arrangement — a check in the mail with no obligation — has proven as destructive to the poor as it has

been wasteful to society. It has eroded the essential moral fabric within a large segment of American society.

In attempting to reverse these trends, we must understand that while government cannot make people good, it can and must create conditions that reward responsible behavior and discourage irresponsible behavior. The proposal that I have before you is based on a foundation of reciprocal responsibility between welfare recipient and society and will lead to increased opportunities for personal and financial independence.

Separate from the welfare reform proposals that our caucus has introduced, I have introduced legislation to address another behavior commonly associated with long-term welfare dependency — the use of illegal and addictive drugs.

Illegal drug use among welfare recipients is one of the most personally irresponsible behaviors in which a welfare recipient can engage. It diminishes their ability to form healthy families, stable personalities, and self-sufficiency. It detracts from welfare recipients' ability to perform for themselves and for their families.

My amendment would create a program of random drug testing for welfare recipients in order to identify those who spend portions of their welfare checks on illegal drugs. The bill would mandate drug rehabilitation for welfare recipients who test positive for illegal drugs. There are no criminal sanctions imposed on those who test positive, only an opportunity, an opportunity to overcome a debilitating and often life-threatening drug habit.

For the casual user the threat of random drug testing might deter them from using further illegal drugs. For addicts and for those who are not deterred by the drug test and mandatory rehabilitation, the test would identify the drug problem and require that in return for continued public assistance, the individual must attempt to beat the drug dependency and ultimately his or her dependency on welfare.

It is important to note that the actual size of the welfare check is calculated by the State to provide only the most basic of life's necessities to a family on welfare. Generally, this modest check represents the only source of legal income a family has to subsist on. Each dollar spent on illegal drugs will be \$1 less to be spent on necessities such as food, shelter, and clothing for children.

Given these facts, government can no longer tolerate taxpayers' money being spent to support an illegal drug habit, particularly when the vast majority of this money is targeted to assist children living in poverty.

Critics maintain that this random drug testing proposal promotes a stereotype that all welfare recipients use illegal drugs. Some also maintain that because there is no hard evidence that substance abuse is more prevalent among welfare recipients, the bill unreasonably discriminates against these recipients. However, I propose and proponents of this amendment propose that we neither believe the majority of people on welfare use illegal drugs nor do we believe that we are discriminating against the poor. Rather, we are attempting to eliminate another barrier to self-sufficiency.

As a part of the new social contract, this legislation simply says, in return for public assistance, you must remain drug free; if you are unwilling or unable to remain drug free, you must seek rehabilitation to become drug free; if you refuse rehabilitation, your benefits will be suspended. This proposal does not single out welfare recipients because they are poor but because they are receiving taxpayer money which is meant only to fill the gap occasioned by a lack of work, and in return for this assistance, we believe that society's responsibility to the poor should be matched by the poor's responsibility to themselves, and we believe this is what the public demands.

I urge your support of my amendment, Mr. Speaker. We refer to illegal drug use only and we do not believe cash assistance should be used to support that. Thank you.

The SPEAKER. The gentleman, Mr. Evans, is recognized.

Mr. EVANS. Mr. Speaker, the chairman of Health and Welfare will talk about the substantive aspect of it. I just want to talk about the money aspect of it.

Mr. Speaker, the cost of the drug testing program to the State is \$26 million annually. Let me just break this down, Mr. Speaker, based on your fiscal note, exactly what the cost implications of this will be to the Commonwealth. For drug testing, Mr. Speaker, the State pays about \$2.5 million; for notices, about \$800,000; for staff and administration, about \$1.8 million; for drug rehabilitation services, \$19 million; for children and youth investigations, about \$196,000; for child placement, about \$2 million. That is \$26 million, Mr. Speaker. The cost to the counties, Mr. Speaker, is about \$754,000.

So, Mr. Speaker, although I understand what the gentleman is attempting to do, clearly that gentleman is not prepared to pay for it, Mr. Speaker. And I think on that basis alone, Mr. Speaker, this is something that we cannot afford because he does not have an answer where the money is coming from, Mr. Speaker.

So I would ask a negative vote on his amendment. Thank you.

The SPEAKER. The Chair thanks the gentleman.

CONSTITUTIONAL POINT OF ORDER

The SPEAKER. The gentleman, Mr. Richardson, is recognized.

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

Here again is another very cool and calculating attempt to try to divide this House with respect to this issue without recognizing and understanding that there is a question of constitutionality when it talks about drug testing only for welfare recipients in this Commonwealth. And while it is a very slick move to try to get members to jump into this fold of feeling that we need to test only welfare recipients, we need to raise the question as to whether or not all professions need to be, in fact, tested for drugs in the Commonwealth of Pennsylvania.

It seems to me that we are barking around the same area that we did before. It opens up the Public Welfare Code, and we are asking everyone to stay tight on the issue dealing directly with the lien issue. This has nothing to do with liens;

this has nothing to do with people's houses; it has nothing to do with people losing their jobs. It is another attempt to try to get away from the issue.

I, Mr. Speaker, at this time move that this amendment is not constitutional, A1270, under the Constitution of the United States under the Constitution No. 14, Amendment 14.

The SPEAKER. The gentleman's point is a point of constitutionality. The gentleman from Philadelphia indicates that his view is that the amendment is unconstitutional.

On the question of constitutionality, those voting "aye" will vote to declare the amendment to be constitutional; those voting "no" will vote to declare the amendment unconstitutional.

On the question,

Will the House sustain the constitutionality of the amendments?

The following roll call was recorded:

YEAS—98

Adolph	Farmer	Leh	Saurman
Allen	Fichter	Lynch	Saylor
Argall	Fleagle	Maitland	Scheetz
Armstrong	Flick	Marsico	Schuler
Baker	Gannon	Masland	Semmel
Barley	Geist	Micozzie	Serafini
Birmelin	Gerlach	Miller	Smith, B.
Boyes	Gladeck	Nailor	Smith, S. H.
Brown	Godshall	Nickol	Stairs
Bunt	Gruppo	Nyce	Steil
Bush	Harley	O'Brien	Stern
Cessar	Hasay	Perzel	Strittmatter
Chadwick	Heckler	Pettit	Taylor, E. Z.
Civera	Hennessey	Phillips	Taylor, J.
Clark	Herman	Piccola	Tigue
Clymer	Hershey	Pitts	Tomlinson
Cohen, L. I.	Hess	Platts	True
Cornell	Hutchinson	Raymond	Tulli
Dempsey	Jadlowiec	Reber	Uliana
Dent	Kenney	Reinard	Vance
Druce	King	Rohrer	Waugh
Durham	Krebs	Rubley	Wogan
Egolf	Laub	Ryan	Wright, M. N.
Fairchild	Lawless	Sather	Zug
Fargo	Lee		

NAYS—99

Acosta	Fajt	Lloyd	Rooney
Battisto	Fee	Lucy	Rudy
Bebko-Jones	Freeman	Manderino	Santoni
Belardi	Gamble	Markosek	Scrimenti
Belfanti	George	Mayernik	Snyder, D. W.
Bishop	Gigliotti	McCall	Staback
Blaum	Gordner	McGeehan	Steelman
Butkovitz	Gruitza	McNally	Steighner
Buxton	Hanna	Melio	Stetler
Caltagirone	Hughes	Michlovic	Stish
Cappabianca	Itkin	Mihalich	Sturla
Carn	James	Mundy	Surra
Carone	Jarolin	Murphy	Tangretti
Cawley	Josephs	Olasz	Thomas
Cohen, M.	Kaiser	Oliver	Trello
Colafella	Kasunic	Pesci	Van Horne
Colaizzo	Keller	Petrarca	Veon
Corrigan	Kirkland	Petrone	Vitali

Cowell	Kukovich	Pistella	Williams
Coy	LaGrotta	Preston	Wright, D. R.
Curry	Laughlin	Richardson	Yandrisevits
Daley	Lederer	Ritter	Yewcic
DeLuca	Lescovitz	Roberts	DeWeese,
Dermody	Levdansky	Robinson	Speaker
Donatucci	Linton	Roebuck	
Evans			
NOT VOTING—1			
Rieger			
EXCUSED—5			
Haluska	O'Donnell	Trich	Wozniak
Merry			

Less than the majority having voted in the affirmative, the question was determined in the negative and the constitutionality of the amendments was not sustained.

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

**GERMANENESS OF AMENDMENT A1269
RECONSIDERED**

The SPEAKER. The Chair recognizes the gentleman, Mr. Flick, who moves that the vote by which amendment 1269 to HB 200, PN 1550, was determined to be nongermane on the 3d day of May be reconsidered.

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

The following roll call was recorded:

YEAS—196

Acosta	Fajt	Linton	Ryan
Adolph	Fargo	Lloyd	Santoni
Allen	Farmer	Lucyk	Sather
Argall	Fee	Lynch	Saurman
Armstrong	Fichter	Maitland	Saylor
Baker	Fleagle	Manderino	Scheetz
Barley	Flick	Markosek	Schuler
Battisto	Freeman	Marsico	Scrimenti
Bebko-Jones	Gamble	Masland	Semmel
Belardi	Gannon	Mayernik	Serafini
Belfanti	Geist	McCall	Smith, B.
Birmelin	George	McGeehan	Smith, S. H.
Bishop	Gerlach	McNally	Snyder, D. W.
Blaum	Gladeck	Melio	Staback
Boyes	Godshall	Michlovic	Stairs
Brown	Gordner	Micozzie	Steelman
Bunt	Gruitza	Mihalich	Steighner
Bush	Gruppo	Miller	Steil
Butkovitz	Hanna	Mundy	Stern
Buxton	Harley	Murphy	Stetler
Caltagirone	Hasay	Nailor	Stish
Cappabianca	Heckler	Nickol	Strittmatter
Carn	Hennessey	Nyce	Sturla
Carone	Herman	O'Brien	Surra
Cawley	Hershey	Olasz	Tangretti
Cessar	Hess	Oliver	Taylor, E. Z.
Chadwick	Hughes	Perzel	Taylor, J.
Civera	Hutchinson	Pesci	Thomas
Clark	Itkin	Petrarca	Tigue

Clymer	Jadlowiec	Petrone	Tomlinson
Cohen, L. I.	James	Pettit	Trello
Cohen, M.	Jarolin	Phillips	True
Colafrilla	Josephs	Piccola	Tulli
Colaizzo	Kaiser	Pistella	Uliana
Cornell	Kasunic	Pitts	Vance
Corrigan	Keller	Platts	Van Horne
Cowell	Kenney	Preston	Veon
Coy	King	Raymond	Vitali
Curry	Kirkland	Reber	Waugh
Daley	Krebs	Reinard	Williams
DeLuca	Kukovich	Richardson	Wogan
Dempsey	LaGrotta	Ritter	Wright, D. R.
Dent	Laub	Roberts	Wright, M. N.
Dermody	Laughlin	Robinson	Yandrisevits
Donatucci	Lawless	Roebuck	Yewcic
Druce	Lederer	Rohrer	Zug
Durham	Lee	Rooney	
Egolf	Leh	Rubley	DeWeese,
Evans	Lescovitz	Rudy	Speaker
Fairchild	Levdansky		

NAYS—1

Gigliotti

NOT VOTING—1

Rieger

EXCUSED—5

Haluska	O'Donnell	Trich	Wozniak
Merry			

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

On the question recurring,
Will the House sustain the germaneness of the amendments?

The SPEAKER. The gentleman, Mr. Flick, indicates that his motion is on germaneness. Is that correct, Representative Flick?

Mr. FLICK. Yes. The reconsideration is that this is on germaneness. I urge the members who are in their seats to vote. We are giving individuals who may not have had the opportunity to vote earlier another opportunity to rectify that situation, Mr. Speaker.

The SPEAKER. This is on amendment A1269.

PARLIAMENTARY INQUIRY

Mr. RICHARDSON. Point of parliamentary inquiry.

The SPEAKER. The gentleman, Mr. Richardson, is recognized.

Mr. RICHARDSON. Mr. Speaker, could you tell us what is "yea" and what is "nay" and what that means for the members so we will be clear on what is being considered properly on how we will vote.

The SPEAKER. Yes.

Those who believe amendment A1269 to be germane to the bill will vote "aye"; those who believe that it is not germane will vote "no."

On the question recurring,

Will the House sustain the germaneness of the amendments?

The following roll call was recorded:

YEAS—97

Adolph	Farmer	Leh	Saurman
Allen	Fichter	Lynch	Saylor
Argall	Fleagle	Maitland	Scheetz
Armstrong	Flick	Marsico	Schuler
Baker	Gannon	Masland	Semmel
Barley	Geist	Micozzie	Serafini
Birmelin	Gerlach	Miller	Smith, B.
Boyes	Gladeck	Nailor	Smith, S. H.
Brown	Godshall	Nickol	Snyder, D. W.
Bunt	Gruppo	Nyce	Stairs
Bush	Harley	O'Brien	Steil
Cassar	Hasay	Perzel	Stern
Chadwick	Heckler	Pettit	Strittmatter
Civera	Hennessey	Phillips	Taylor, E. Z.
Clark	Herman	Piccola	Taylor, J.
Clymer	Hershey	Pitts	Tomlinson
Cohen, L. I.	Hess	Platts	True
Cornell	Hutchinson	Raymond	Tulli
Dempsey	Jadlowiec	Reber	Uliana
Dent	Kenney	Reinard	Vance
Druce	King	Rohrer	Waugh
Durham	Laub	Rubley	Wogan
Egolf	Lawless	Ryan	Wright, M. N.
Fairchild	Lee	Sather	Zug
Fargo			

NAYS—100

Acosta	Fajt	Lloyd	Rooney
Battisto	Fee	Lucyk	Rudy
Bebko-Jones	Freeman	Manderino	Santoni
Belardi	Gamble	Markosek	Scrimenti
Belfanti	George	Mayernik	Staback
Bishop	Gigliotti	McCall	Steelman
Blaum	Gordner	McGeehan	Steighner
Butkovitz	Gruitza	McNally	Stetler
Buxton	Hanna	Melio	Stish
Caltagirone	Hughes	Michlovic	Sturla
Cappabianca	Itkin	Mihalich	Surra
Carn	James	Mundy	Tangretti
Carone	Jarolin	Murphy	Thomas
Cawley	Josephs	Olasz	Tigue
Cohen, M.	Kaiser	Oliver	Trello
Colaella	Kasunic	Pesci	Van Horne
Colaizzo	Keller	Petrarca	Veon
Corrigan	Kirkland	Petrone	Vitali
Cowell	Krebs	Pistella	Williams
Coy	Kukovich	Preston	Wright, D. R.
Curry	LaGrotta	Richardson	Yandrisevits
Daley	Laughlin	Ritter	Yewcic
DeLuca	Lederer	Roberts	
Dermody	Lescovitz	Robinson	DeWeese,
Donatucci	Levdansky	Roebuck	Speaker
Evans	Linton		

NOT VOTING—1

Rieger

EXCUSED—5

Haluska	O'Donnell	Trich	Wozniak
Merry			

Less than the majority having voted in the affirmative, the question was determined in the negative and the amendments were declared not germane.

On the question recurring,

Will the House agree to the bill on third consideration?

CONSTITUTIONALITY OF AMENDMENT A1270 RECONSIDERED

The SPEAKER. The gentleman, Mr. Ryan, moves that the constitutionality of amendment 1270 to HB 200, PN 1550, which was defeated on the 3d day of May, be reconsidered.

On the question,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—195

Adolph	Fargo	Linton	Ryan
Allen	Farmer	Lloyd	Santoni
Argall	Fee	Lucyk	Sather
Armstrong	Fichter	Lynch	Saurman
Baker	Fleagle	Maitland	Saylor
Barley	Flick	Manderino	Scheetz
Battisto	Freeman	Markosek	Schuler
Bebko-Jones	Gamble	Marsico	Scrimenti
Belardi	Gannon	Masland	Semmel
Belfanti	Geist	Mayernik	Serafini
Birmelin	George	McCall	Smith, B.
Bishop	Gerlach	McGeehan	Smith, S. H.
Blaum	Gigliotti	McNally	Snyder, D. W.
Boyes	Gladeck	Melio	Staback
Brown	Godshall	Michlovic	Stairs
Bunt	Gordner	Micozzie	Steelman
Bush	Gruitza	Mihalich	Steighner
Butkovitz	Gruppo	Miller	Steil
Buxton	Hanna	Mundy	Stern
Caltagirone	Harley	Murphy	Stetler
Cappabianca	Hasay	Nailor	Stish
Carn	Heckler	Nickol	Strittmatter
Carone	Hennessey	Nyce	Sturla
Cawley	Herman	O'Brien	Surra
Cassar	Hershey	Olasz	Tangretti
Chadwick	Hess	Oliver	Taylor, E. Z.
Civera	Hughes	Perzel	Taylor, J.
Clark	Hutchinson	Pesci	Thomas
Clymer	Itkin	Petrarca	Tigue
Cohen, L. I.	Jadlowiec	Petrone	Tomlinson
Cohen, M.	James	Pettit	Trello
Colaella	Jarolin	Phillips	True
Colaizzo	Kaiser	Piccola	Tulli
Cornell	Kasunic	Pistella	Uliana
Corrigan	Keller	Pitts	Vance
Cowell	Kenney	Platts	Van Horne
Coy	King	Preston	Veon
Curry	Kirkland	Raymond	Vitali
Daley	Krebs	Reber	Waugh
DeLuca	Kukovich	Reinard	Williams
Dempsey	LaGrotta	Richardson	Wogan
Dent	Laub	Ritter	Wright, D. R.
Dermody	Laughlin	Roberts	Wright, M. N.
Donatucci	Lawless	Robinson	Yandrisevits
Druce	Lederer	Roebuck	Yewcic
Durham	Lee	Rohrer	Zug
Egolf	Leh	Rooney	

Evans	Lescovitz	Rubley	DeWeese,
Fairchild	Levdansky	Rudy	Speaker
Fajt			

NAYS—0

NOT VOTING—3

Acosta	Josephs	Rieger
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EXCUSED—5

Haluska	O'Donnell	Trich	Wozniak
Merry			

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

On the question recurring,

Will the House sustain the constitutionality of the amendments?

The SPEAKER. The gentleman, Mr. Flick, is recognized.

Mr. FLICK. Thank you, Mr. Speaker.

We have before us my amendment which is to establish the drug treatment program for those individuals who are receiving cash assistance but have a drug problem. We wish to provide this.

I urge an affirmative vote. Thank you, Mr. Speaker.

The SPEAKER. The gentleman, Mr. Richardson, is recognized.

Mr. RICHARDSON. Mr. Speaker, I ask for a negative vote again on constitutionality. This amendment is not constitutional.

The SPEAKER. The gentleman from Lackawanna County, Mr. Serafini, is recognized.

Mr. SERAFINI. Mr. Speaker, I think the people in this House of Representatives owe it not only to themselves but to those crack babies who lie shivering in hospitals across this State to vote on this amendment.

I have had the opportunity to observe in a Philadelphia hospital babies shivering at the edge of life because their parents were so irresponsible to that child that they took drugs. It is something that someone has to see to believe, and once you have seen it, you will never forget it. There is no way that we could deny the constitutional rights to those children who are shivering in hospitals close to death because their parents had to take drugs.

I do not think this is a question of a welfare recipient or anyone who has got money or no money at all, but it is a start, and it is a good start and it is a place where we should never end. Drug testing is a necessity. Thank you.

The SPEAKER. The gentleman will please, please keep his remarks on constitutionality.

Mr. SERAFINI. Oh, I thought I was, but, okay, anyway. Thank you.

Well, I think we should consider the constitutional rights of those children and vote to have the House of Representatives— Well, it is good to have friends in high places. Thank you.

The SPEAKER. The Chair thanks the gentleman.

On the issue of constitutionality, those who believe that the measure is constitutional will vote in the affirmative; those who believe it is unconstitutional will vote in the negative.

On the question recurring,

Will the House sustain the constitutionality of the amendments?

The following roll call was recorded:

YEAS—98

Adolph	Farmer	Lynch	Saylor
Allen	Fichter	Maitland	Scheetz
Argall	Fleagle	Marsico	Schuler
Armstrong	Flick	Masland	Semmel
Baker	Gannon	Micozzie	Serafini
Barley	Geist	Miller	Smith, B.
Birmelin	Gerlach	Nailor	Smith, S. H.
Boyes	Gladeck	Nickol	Snyder, D. W.
Brown	Godshall	Nyce	Stairs
Bunt	Gruppo	O'Brien	Steil
Bush	Harley	Perzel	Stern
Cessar	Hasay	Pettit	Strittmatter
Chadwick	Heckler	Phillips	Taylor, E. Z.
Civera	Hennessey	Piccola	Taylor, J.
Clark	Herman	Pitts	Tigue
Clymer	Hershey	Platts	Tomlinson
Cohen, L. I.	Hess	Raymond	True
Cornell	Hutchinson	Reber	Tulli
Dempsey	Jadlowiec	Reinard	Uliana
Dent	Kenney	Rohrer	Vance
Druce	King	Rubley	Wagh
Durham	Laub	Ryan	Wogon
Egolf	Lawless	Sather	Wright, M. N.
Fairchild	Lee	Saurman	Zug
Fargo	Leh		

NAYS—99

Acosta	Fajt	Linton	Roebuck
Battisto	Fee	Lloyd	Rooney
Bebko-Jones	Freeman	Lucyk	Rudy
Belardi	Gamble	Manderino	Santoni
Belfanti	George	Markosek	Scrimenti
Bishop	Gigliotti	Mayermik	Staback
Blaum	Gordner	McCall	Steelman
Butkovitz	Gruitza	McGeehan	Steighner
Buxton	Hanna	McNally	Stetler
Caltagirone	Hughes	Melio	Stish
Cappabianca	Itkin	Michlovic	Sturla
Cam	James	Mihalich	Surra
Carone	Jarolin	Mundy	Tangretti
Cawley	Josephs	Murphy	Thomas
Cohen, M.	Kaiser	Olasz	Trello
Colafella	Kasunic	Oliver	Van Home
Colaizzo	Keller	Pesci	Veon
Corrigan	Kirkland	Petrarca	Vitali
Cowell	Krebs	Petrone	Williams
Coy	Kukovich	Pistella	Wright, D. R.
Curry	LaGrotta	Preston	Yandrisevits
Daley	Laughlin	Richardson	Yewcic
DeLuca	Lederer	Ritter	
Dermody	Lescovitz	Roberts	DeWeese,
Donatucci	Levdansky	Robinson	Speaker
Evans			

NOT VOTING—1

Rieger

EXCUSED—5

Haluska O'Donnell Trich Wozniak
Merry

Less than the majority having voted in the affirmative, the question was determined in the negative and the constitutionality of the amendments was not sustained.

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?

REMARKS SUBMITTED FOR THE RECORD

The SPEAKER. The Chair recognizes Mr. Richardson.
Mr. RICHARDSON. Mr. Speaker, I would like to submit some remarks for the record.

Mr. RICHARDSON submitted the following remarks for the Legislative Journal:

This measure, each time, was sent to the Senate but never received consideration.

It is unfortunate that many of you are personally aware of the problem we are discussing today. This bill seeks to rectify this problem.

Pennsylvania is one of only three States in the country that still has this type of lien provision. This is ancient thinking. It is time for a change.

That is why your participation today is so important. We want a full-fledged, no-holds-barred effort to support the welfare lien bill. We want to see this bill signed into law this session.

So many of you worked for many, many years to own homes and other things in life, such as cars and other assets. Many assets are luxuries, but our homes are not. We all need shelter.

But what a shame it is for the State or some other governmental agency to have the jurisdiction to go in and place a lien against the home that is rightfully the homeowner's.

I have been an activist for the poor for many years, but I am here today to offer support to people who were among the ranks of the working class for many years. But because of plant closings and job terminations, they are now part of a large population receiving public assistance.

With that status, it seems as though what they have worked so hard for and their right to claim what they have worked so hard for, goes right out the window. That is ridiculous. We have got to do something about this situation.

In many areas of this State, communities or sections of communities may be facing unemployment because of plant closings or the loss of jobs, period. All of these people may have to go on public assistance. The value of real estate drops in those neighborhoods. Because the municipalities lose their tax base, neighborhoods deteriorate.

The homeowner may be concerned about the deterioration of the home but cannot get a loan at the bank to maintain the home because of the lien that has been placed against it. It is a catch-22. You cannot get the lien removed and you cannot get a loan for improvements. How can anyone expect these homes to remain marketable? And do not be fooled into thinking this problem affects only certain neighborhoods. This problem affects the entire community and the entire Commonwealth of Pennsylvania. The entire community and State then suffers.

There is a process to get the lien removed only after the homeowner becomes employed again. Not only is the process of getting the lien removed long and tedious, but people also must deal with repaying any excess assistance received.

For instance, if the lien is worth \$5,000 and you have used \$11,000 worth of assistance, your lien cannot be removed until the extra \$6,000 of assistance has been paid back to the Department of Welfare. The whole process of getting the lien removed is so laboring that we must make it easier for these people to get back on the road to financial recovery.

My bill seeks to do just that — get folks back on the road to recovery.

This bill would remove the lien placed on homes owned by people who have become unemployed because of plants closing, et cetera, and allow them to receive public assistance until they are reemployed without the fear of a lien.

What we are talking about is this: support for this bill. Make your State legislators know that you want this kind of bill. We all have to work together to get the attention of other legislators and the Governor. We can wait no longer. The time has come to pass this bill. Let us all work together for the success of this measure.

Thank you again for your show of support.

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—127

Acosta	Fee	Lucyk	Rooney
Argall	Freeman	Manderino	Rubley
Battisto	Gamble	Markosek	Rudy
Bebko-Jones	Gannon	Mayernik	Santoni
Belardi	George	McCall	Scrimenti
Belfanti	Gerlach	McGeehan	Semmel
Bishop	Gigliotti	McNally	Serafini
Blaum	Godshall	Melio	Snyder, D. W.
Boyes	Gordner	Michlovic	Staback
Butkowitz	Gruitza	Micozzie	Stairs
Buxton	Gruppo	Mihalich	Steelman
Caltagirone	Hanna	Mundy	Steighner
Cappabianca	Hasay	Murphy	Stetler
Carn	Hughes	Nyce	Stish
Carone	Itkin	O'Brien	Sturla
Cawley	James	Olasz	Surra
Cessar	Jarolin	Oliver	Tangretti
Civera	Josephs	Perzel	Taylor, J.
Cohen, M.	Kaiser	Pesci	Thomas
Colafrella	Kasunic	Petrarca	Tigue
Colaizzo	Keller	Petrone	Trello
Corrigan	Kenney	Phillips	Uliana
Cowell	King	Pistella	Van Horne
Coy	Kirkland	Platts	Veon
Curry	Kukovich	Preston	Williams
Daley	LaGrotta	Raymond	Wogan
DeLuca	Laughlin	Reber	Wright, D. R.
Dent	Lederer	Richardson	Yandrisevits
Dermody	Lescovitz	Ritter	Yewcic
Donatucci	Levdansky	Roberts	
Durham	Linton	Robinson	DeWeese, Speaker
Evans	Lloyd	Roebuck	
Fajt			

NAYS—70

Adolph	Fargo	Lee	Saylor
Allen	Farmer	Leh	Scheetz
Armstrong	Fichter	Lynch	Schuler
Baker	Fleagle	Maitland	Smith, B.
Barley	Flick	Marsico	Smith, S. H.
Birmelin	Geist	Masland	Steil

Brown	Gladeck	Miller	Stern
Bunt	Harley	Nailor	Strittmatter
Bush	Heckler	Nickol	Taylor, E. Z.
Chadwick	Hennessey	Pettit	Tomlinson
Clark	Herman	Piccola	True
Clymer	Hershey	Pitts	Tulli
Cohen, L. I.	Hess	Reinard	Vance
Cornell	Hutchinson	Rohrer	Vitali
Dempsey	Jadlowiec	Ryan	Waugh
Druce	Krebs	Sather	Wright, M. N.
Egolf	Laub	Saurman	Zug
Fairchild	Lawless		

NOT VOTING-1

Rieger

EXCUSED-5

Haluska	O'Donnell	Trich	Wozniak
Merry			

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 **HB 1341, PN 1612**, entitled:

An Act amending the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, further providing for a performance evaluation of the Pennsylvania Community Work Program; providing for the New Directions Jobs Program and for employment and training programs for the transitionally needy and for referral to Pennsylvania Conservation Corps; establishing an exemption for education savings accounts; creating the Assistance Recipient Identification Program; establishing a residency requirement and requiring residency date collection; further providing for determination of paternity and enforcement and for Federal benefits as the primary source of assistance; ensuring aid to families with dependent children eligibility for children; requiring prior authorization for home health services; further providing for medical assistance payments and for Medicaid fraud; providing for certain purchases of private insurance, for certain purchases of laboratory and medical supplies and mail order prescriptions, for maximization of Federal funds for children's nutrition and drug and alcohol treatment and for independent disability determinations; removing the limit on the Employment Fund for the Blind; further providing for employment incentive payments; and making a repeal.

On the question,

Will the House agree to the bill on third consideration?

Mr. PICCOLA offered the following amendments No. A1274:

Amend Title, page 1, line 23, by inserting after "payments" and for children's institutions; providing for youth centers

Amend Bill, page 1, lines 26 and 27; page 2, line 1, by striking out all of said lines on said pages and inserting

Section 1. Subarticle (d) of Article III of the act of June 13, 1967 (P.L.31, No.21), known as the Public Welfare Code, is repealed.

Section 2. Section 405.2 of the act is amended by adding a subsection to read:

Amend Sec. 2, page 2, line 17, by striking out "2" and inserting

3

Amend Sec. 3, page 7, line 28, by striking out "3" and inserting

4

Amend Sec. 4, page 10, line 1, by striking out "4" and inserting

5

Amend Sec. 5, page 10, line 18, by striking out "5" and inserting

6

Amend Sec. 6, page 11, line 29, by striking out "6" and inserting

7

Amend Sec. 7, page 12, line 19, by striking out "7" and inserting

8

Amend Sec. 8, page 13, line 6, by striking out "8" and inserting

9

Amend Sec. 9, page 14, line 19, by striking out "9" and inserting

10

Amend Sec. 10, page 15, line 16, by striking out "10" and inserting

11

Amend Sec. 11, page 19, line 3, by striking out "11" and inserting

12

Amend Bill, page 26, by inserting between lines 18 and 19 Section 13. Article VII of the act is amended by adding a subarticle to read:

ARTICLE VII
Children and Youth

* * *

(f) Youth Centers

Section 781. Definitions.—As used in this subarticle—

"youth center" means any incorporated or unincorporated organization, society, corporation or agency, public or private, which may receive or care for delinquent minors, either for board, wages or free; or any individual who for hire, gain or reward, receives for care a child, unless he is related to such child by blood or marriage within second degree. The term shall include, but not be limited to, a youth development center and a youth forestry center. The term shall not include a family day-care home in which care is provided in lieu of parental care to six or less children for part of a twenty-four hour day.

Section 782. Custody and Supervision.—(a) Juveniles committed to a youth center shall be in the custody of the department. The department shall assure that proper care, guidance and control are provided for those minors under the age of eighteen years committed under 42 Pa.C.S. Ch. 63 (relating to juvenile matters). Such minors may remain committed until they attain twenty-one years of age.

(b) All youth centers shall be supervised by the department. Juveniles committed to a youth center shall remain under the supervision of the court.

(c) Whenever, in the judgment of the department, the rehabilitation of a committed minor will be served by his full or partial employment off the grounds of a youth center, the department may consent to such employment, provided, that the terms of the employment do not violate applicable labor or wage laws and that the minor returns to the center or his foster boarding home each day after work.

(d) Whenever, in the judgment of the department, a committed minor is ready for release, but is in need of continuing counseling from the youth center, the superintendent shall so advise the court. If the court approves, the minor shall be released and the youth center shall provide counseling to him until the court approves its discontinuance or discharge.

Section 783. Operation of Facilities.—(a) The department shall divest itself of the actual operation of all State-owned and

maintained youth development centers, including those centers located at Bensalem, New Castle, Loysville, Danville and Embreeville. The ownership of said facilities may remain with the Commonwealth. However, the department shall contract with private contractors for operation of said facilities.

(b) Private contractors operating within this Commonwealth must hold a valid license issued by the department, pursuant to Article IX.

Section 784. Contracts.—(a) Contracts executed under this subarticle shall include the following terms:

(1) The posting of an adequate performance bond by the private contractor.

(2) Proof of adequate insurance.

(3) A requirement that the private contractor comply with regulations of the department and with this act.

(4) A plan developed by the private contractor detailing all aspects of operations in the youth center.

(5) A requirement of annual contract review by the department.

(6) Proof that the private contractor holds a license issued by the department.

(7) A requirement of access by the department to all records of the private contractor.

(8) A requirement that the department provide a contract monitor at the youth center.

(9) A requirement for the first year of the contract that the private contractor shall employ all current Commonwealth youth center employes. Employes may only be dismissed for cause.

(10) A requirement that all civil service policies, such as affirmative action and due process, are carried out by the provider.

(11) A provision that the determination as to which delinquent minors will be placed at the respective youth centers shall be at the discretion of the court and not the contractor.

(12) A provision that youth centers may not accept custody of delinquents placed by a court outside of the Commonwealth.

(b) Contracts shall be conditioned upon all of the following:

(1) The private contractor's assumption of liability caused by or arising out of all aspects of operation of youth centers.

(2) A provision of security services, including, but not limited to, escape or other emergency situations, legal fees and damage awards, involving the private contractor and the department.

(3) Liability insurance covering the private contractor and its officers, employes and agents in an amount sufficient to cover liability arising out of the operation of the youth center. A copy of the proposed insurance policy for the first year shall be submitted for approval with the contract.

(c) Disapproval of a contract may be based on any reasonable grounds, including, but not limited to, the following:

(1) Inadequacy or inappropriateness of the proposed plan of operation.

(2) Failure to meet department regulations.

(3) Unsuitability of the proposed private contractor or its employes.

(4) Absence of required or desired contract provisions.

(5) Unavailability of adequate funds.

(6) Lack of proof of appropriate insurance.

(7) Absence of licensure by the department.

(d) Contracts executed under this act shall provide for termination for cause by the Commonwealth upon ninety days' notice to the private contractor. Termination shall be allowed for reasons which include, but are not limited to, the following:

(1) Failure to be licensed or to comply with regulations of the department.

(2) Failure to meet other contract provisions.

(3) Failure to meet the provisions of this act.

Section 785. Contract Monitor.—The contract monitor shall:

(1) Monitor compliance of the private contractor with terms of the contract.

(2) Supervise the administration, well-being and general welfare of children committed to youth centers.

(3) Insure that adequate social services, facilities for rehabilitation, care, guidance and control are maintained.

Section 786. Labor Disputes.—(a) (1) A private contractor shall notify the department sixty days prior to the termination of a labor contract.

(2) A private contractor shall notify the department immediately upon learning of a potential or impending strike.

(b) In the event of a strike, the department shall assume operation of the youth center and shall use Commonwealth resources necessary to operate the facility until the strike has ended. Costs incurred by the Commonwealth or the department shall be reimbursed by the private contractor.

Section 787. Emergencies.—(a) Upon the occurrence of an escape of a delinquent at a secured youth center facility, the facility shall immediately notify the local police within the county.

(b) Upon the occurrence of an emergency in a youth center the department shall have the authority to enter and control the facility until the emergency ends.

(c) Costs incurred by the Commonwealth or the department shall be reimbursed by the private contractor.

Section 788. Rules and Regulations.—The department shall, within six months of the effective date of this subarticle, promulgate rules and regulations for the provisions and operation of youth centers. These regulations shall include, but not be limited to:

(1) Staffing levels and emergency plans.

(2) Security requirements at a secured youth center.

(3) Minimum standards for the care of, guidance and control of children committed to a youth center.

Amend Sec. 12, page 26, line 19, by striking out "12" and inserting

14

Amend Bill, page 28, by inserting between lines 11 and 12 Section 15. The definition of "children's institutions" in section 901 of the act, amended December 5, 1980 (P.L.1112, No.193), is amended and the section is amended by adding a definition to read:

Section 901. Definitions.—As used in this article—

"Children's institutions" means any incorporated or unincorporated organization, society, corporation or agency, public or private, which may receive or care for children, or place them in foster family homes, either at board, wages or free; or any individual who, for hire, gain or reward, receives for care a child, unless he is related to such child by blood or marriage within the second degree; or any individual, not in the regular employ of the court or of an organization, society, association or agency, duly certified by the department, who in any manner becomes a party to the placing of children in foster homes, unless he is related to such children by blood or marriage within the second degree, or is the duly appointed guardian thereof. The term shall not include a family day care home in which care is provided in lieu of parental care to six or less children for part of a twenty-four hour day. Additionally, the term shall not include a youth center.

* * *

"Youth center" shall have the meaning given in section 781.

Section 16. Sections 902 and 921(b) of the act are amended to read:

Section 902. Supervisory Powers.—The department shall have supervision over:

(1) All State institutions;

(2) All supervised institutions;

(3) All children's institutions within this Commonwealth;

(4) All maternity homes and hospitals within this Commonwealth;

(5) Any labor or system of labor carried on in the penal, correctional or reformatory institutions of the State;

(6) Any system of reparation provided by the Commonwealth for relief from conditions caused by mine-caves, fire, flood, or other casualty, and constituting a menace to public safety and welfare;

(7) All boarding homes for children which have been licensed by the State;

(8) All institutions for adults within this Commonwealth[.];

(9) All youth centers.

Section 921. Additional Provisions Respecting Certain Institutions; Purpose; Definitions; Standards; Inspection.—* * *

(b) As used in this section, "institution" means an establishment which furnishes (in single or multiple facilities) food and shelter to three or more persons unrelated to the proprietor, and which provides some care or service which meet some need beyond the basic provisions of food, shelter and laundry. The term "institution" shall include, but not be limited to, homes for the aged and infirm, nursing homes, convalescent homes, rehabilitation centers providing living-in facilities, boarding homes for adults which provide personal care and services, hospitals, [and] infirmaries providing living-in arrangements and youth centers.

* * *

Section 17. Section 1001 of the act is amended by adding a definition to read:

Section 1001. Definitions.—As used in this article—

* * *

"Youth center" shall have the meaning given in section 781.

Amend Sec. 13, page 28, line 12, by striking out "13" and inserting

18

Amend Sec. 14, page 28, line 15, by striking out "14" and inserting

19

Amend Sec. 15, page 28, line 20, by striking out "15" and inserting

20

On the question,

Will the House agree to the amendments?

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

Mr. PICCOLA. Thank you, Mr. Speaker.

Presently our juvenile justice system operates with a system that combines both private and nonprivate—in other words, public—institutions to which juveniles are committed after being adjudicated. The vast majority of these institutions are private, privately run by profit or nonprofit corporations, and they perform very well. In fact, the record of performance for the private institutions to which juveniles are committed in this State is exemplary.

The record, however, for the publicly owned, the State-owned, institutions is not as good. In fact, in many cases it is very poor. This amendment would direct the Department of Public Welfare to divest itself of all of its publicly owned juvenile facilities and turn them over to private concerns for operation, either by outright sale or by lease. You will note in the amendment that it provides for an extensive system of regulation and inspection to assure that the facilities are operated properly in accordance with the appropriate standards so that the juveniles who are committed there are properly treated.

I would urge that Pennsylvania fully commit itself to the privatization of its juvenile justice system and adopt this amendment. I would remind the members that juveniles who are committed under the current system and under this system as proposed still remain under the jurisdiction of the courts which made the original commission.

I urge the adoption of the amendment.

The SPEAKER. The Chair thanks the gentleman.

The Chair recognizes Mr. Dwight Evans.

Mr. EVANS. Thank you.

Mr. Speaker, I would be the first one to say to you that certainly some things need to change in the system, but I am going to raise the questions around cost, Mr. Speaker.

Under this amendment, Mr. Speaker, I want to state to you that the State will still retain ownership of the YDC (youth development center) properties; the State will be responsible for the general liabilities in the property.

Number two, the State will incur the cost of maintenance and upkeep of the properties, and in addition to that, Mr. Speaker, there will be a cost of a \$600,000 accommodation leave payout as State employees are displaced.

Mr. Speaker, I understand what the gentleman is attempting to do. I do not believe, Mr. Speaker, that this is the way to go about handling it at this particular moment.

Again, Mr. Speaker, we must keep in mind the cost implications of an amendment such as this when particularly, Mr. Speaker, the gentleman does not have any answer of how to adjust those questions when I said to you that the State will still have ownership and will incur the cost of maintenance.

I stress to you, Mr. Speaker, that we have to keep the fiscal aspects in mind, and I would ask that we would be negative on this particular amendment. Thank you, Mr. Speaker.

THE SPEAKER PRO TEMPORE (FRED A. TRELLO) PRESIDING

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Piccola, for the second time.

Mr. PICCOLA. Mr. Speaker, on the issue of cost, I would point out to the members of the House that the statistics—and I do not have them right here in front of me—but it is my understanding that the statistics show that juveniles committed to private facilities in this Commonwealth cost our counties \$77 a day and almost twice that amount when they are committed to a State-run institution. So the gentleman's argument that this is going to be costly to the Commonwealth simply does not hold water, because both our counties and the State government pay for those commitment costs, and if they are cheaper in private facilities than they are in the State-owned facilities, over the short haul and the long haul, it is going to be less expensive to operate our juvenile justice facilities if we adopt this amendment.

So I again would urge the House to adopt this amendment especially for the cost-saving aspects of the same.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Evans.

Mr. EVANS. Mr. Speaker, what the gentleman is referring to is that current State costs range from \$80 to \$150 per day. Private nonsecure bids are currently under contract at \$77. However, Mr. Speaker, some private secure bids are under contract as much as \$300 per day, Mr. Speaker. So I do not know exactly what the gentleman is referring to when we have a budget that we have to pass by June 30, 1993, that he understands where this particular savings is going to go.

Mr. Speaker, the gentleman still has not answered the question that the State will have ownership of these particular properties, that we will still have the general liability payments, and in addition, Mr. Speaker, we will always still have the maintenance cost and the upkeep of this property.

Although this gentleman, Mr. Speaker, is talking about contracting out this particular service, remember something, Mr. Speaker: The State still will have the responsibility of paying for the facility. What the gentleman has not answered the question for you is where the money is coming from. At some point, Mr. Speaker, we all have to ask the question, where is the money coming from? The gentleman does not give you an answer to where the money comes from. What he does say, Mr. Speaker, is that the long-term effect will be a savings from the State. Well, we have to pass a budget, Mr. Speaker, come July 1, 1993.

In addition, Mr. Speaker, in this particular bill is the federalizing of the general assistance, which is a savings to the State of \$247 million. By adding this particular amendment to the bill, Mr. Speaker, we again will be minusing dollars from that particular savings that we receive from the Federal Government, and I would encourage us to be "no" on this particular amendment. Thank you, Mr. Speaker.

The SPEAKER pro tempore. On the question, the Chair recognizes the gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose the amendment. I think the gentleman, Mr. Evans, speaks to the cost of this amendment, and rightly so as chairman of the Appropriations Committee. Let me approach it from a different angle.

What this amendment would do would be to privatize the institutionalization of some of the roughest kids in this State. Some of our juvenile offenders who are more dangerous commit more serious offenses than do adults who may end up in a State penitentiary. You may have a juvenile who commits a very serious crime at the age of 16 or 17 and is sent to a juvenile facility for several years, and they are 18, 19, 21, 22, and they are very dangerous people, whereas if they committed that crime when they were 18 years of age, they would be in a State penitentiary, a State correctional institution in Pennsylvania.

I think the gentleman, Mr. Piccola, is very sincere about his amendment. I think that it takes an awful lot of study and an awful lot of scrutiny by the members of this House of Representatives before we just merely vote on an amendment to a bill here on the floor of the House that we are going to privatize these juvenile facilities. There are very, very important reasons that deal with public safety why these facilities should remain in the hands of the Commonwealth and not be privatized.

I would ask that the members vote "no," not only from the cost standpoint but also from the standpoint of public safety. Thank you very much.

The SPEAKER pro tempore. On the question, the Chair recognizes the minority leader, Mr. Ryan.

Mr. RYAN. Mr. Speaker, I rise in support of the amendment. I have one of these facilities in my legislative district. I have the Glen Mills School and I am very proud of it, and after this is typed up, you can be sure I am going to mail a copy of my remarks to the president of that school because they need a boost every time they can get a boost, because too often things are said that should not be said, that they are not welcome in a neighborhood, and I am telling you they are welcome.

I know that Mr. Evans—I say I know it—I believe that Mr. Evans has been to Glen Mills. I am reasonably sure that a number of other legislators, particularly from the southeast, and I know in Delaware County, have been to Glen Mills. I know that a number of our Senators have been to Glen Mills a number of times. And what they can do, Mr. Speaker, is maybe they cannot take— And there are no walls around Glen Mills. There are no fences around Glen Mills. There are no motorcycles or people with guns walking around Glen Mills. There is essentially a peer-pressure guard which is made up primarily of other students, if you will, who are there with the others. They are all court adjudicated, and they are residents on this 400-acre campus in Delaware County. I believe in the very township I live in part of that property is located.

I am very pleased with it, and they do a job that is second to none. They do it with some of the toughest gang members that Pennsylvania has had on the east coast. When we put the first publication out on it, they were doing it for \$70 per day while the State of Pennsylvania was doing it at the rate of \$150 a day.

Now, maybe if there are young men—and this is made up entirely of young men—maybe if there are young men who are more violent criminals, who have a background that is worse than what I have heard before, maybe they should not be there; I do not know that, but they could continue in the State institutions where there is higher security.

But to think that these young people who are at Glen Mills come out of there without being far better off than the young people who are coming out of the institutions run by this Commonwealth is foolish and crazy and naive on our part. They are doing a great job there, considering what their job is, and if the State of Pennsylvania is able to privatize, if they are able to copy the job that is being done at places such as Glen Mills—and I am not suggesting they are the only ones in this State that are doing a good job—then I think the young people of Pennsylvania who have gotten in trouble are going to be far better off than they are today looking at a stay in a State institution.

They, incidentally, also field some pretty great sports teams. They have been here in this Capitol a number of times as State champions — basketball, football. Pete Daley has cried here publicly when his hometown teams have been beat, and they will be back up again, Pete.

Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

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

The following roll call was recorded:

YEAS—94

Adolph	Fargo	Leh	Saurman
Allen	Farmer	Lynch	Saylor
Argall	Fichter	Maitland	Scheetz
Armstrong	Fleagle	Marsico	Schuler
Baker	Flick	Masland	Semmel
Barley	Gamble	Micozzie	Serafini
Birmelin	Gannon	Miller	Smith, B.
Brown	Geist	Nailor	Smith, S. H.
Bunt	Gerlach	Nickol	Snyder, D. W.
Bush	Godshall	O'Brien	Steil
Caltagirone	Gruppo	Perzel	Stern
Cessar	Harley	Pettit	Strittmatter
Chadwick	Hasay	Phillips	Taylor, E. Z.
Civera	Heckler	Piccola	Taylor, J.
Clark	Hennessey	Pitts	Tomlinson
Clymer	Herman	Platts	True
Cohen, L. I.	Hershey	Raymond	Tulli
Cornell	Hess	Reber	Vance
Dempsey	Hutchinson	Reinard	Vitali
Dent	Jadlowiec	Rohrer	Waugh
Druce	King	Rubley	Wogan
Durham	Laub	Ryan	Wright, M. N.
Egolf	Lawless	Sather	Zug
Fairchild	Lee		

NAYS—99

Acosta	Fee	Lucyk	Rooney
Battisto	Freeman	Manderino	Rudy
Bebko-Jones	George	Markosek	Santoni
Belardi	Gigliotti	Mayernik	Scrimenti
Belfanti	Gordner	McCall	Staback
Bishop	Gruitza	McGeehan	Steelman
Blaum	Hanna	McNally	Steighner
Boyes	Hughes	Melio	Stetler
Butkovitz	Itkin	Michlovic	Stish
Buxton	James	Mihalich	Sturla
Cappabianca	Josephs	Mundy	Surra
Carn	Kaiser	Murphy	Tangretti
Carone	Kasunic	Nyce	Thomas
Cawley	Keller	Olasz	Tigue
Cohen, M.	Kennedy	Oliver	Trello
Colafella	Kirkland	Pesci	Ultiana
Colaizzo	Krebs	Petrarca	Van Horne
Cowell	Kukovich	Petrone	Veon
Coy	LaGrotta	Pistella	Williams
Curry	Laughlin	Preston	Wright, D. R.
Daley	Lederer	Richardson	Yandrisevits
DeLuca	Lescovitz	Ritter	Yewcic
Dermody	Levdansky	Roberts	
Donatucci	Linton	Robinson	DeWeese,
Evans	Lloyd	Roebuck	Speaker
Fajt			

NOT VOTING—5

Corrigan	Jarolin	Rieger	Stairs
Gladeck			

EXCUSED—5

Haluska	O'Donnell	Trich	Wozniak
Merry			

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. HERMAN offered the following amendments No. A1260:

Amend Title, page 1, line 23, by inserting after "payments;" providing for eligibility for subsidized child day care;

Amend Bill, page 26, by inserting between lines 18 and 19 Section 12. The act is amended by adding a section to read:

Section 494. Subsidized Child Day Care.—(a) In determining eligibility for subsidized child day care for parents or caretakers receiving vocational training, such training shall be deemed to include all of the following:

(1) Four-year baccalaureate degree programs at a college or university.

(2) Postgraduate degree programs at a college or university.

(3) English as a second language programs of fewer than twenty hours per week.

(4) General Educational Development (GED) programs of fewer than twenty hours per week.

(b) Any regulation of the department inconsistent with subsection (a) is hereby abrogated to the extent of such inconsistency.

Amend Sec. 12, page 26, line 19, by striking out "12" and inserting

13

Amend Sec. 13, page 28, line 12, by striking out "13" and inserting

14

Amend Sec. 14, page 28, line 15, by striking out "14" and inserting

15

Amend Sec. 15, page 28, line 20, by striking out "15" and inserting

16

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

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Herman, on his amendment.

Mr. HERMAN. Thank you, Mr. Speaker.

The amendment I am offering is to help those single parents, single fathers and single mothers who are trying to get off the welfare assistance, in keeping their child care for those who wish to enroll in continuing education programs.

Currently, the Department of Public Welfare regulations prohibit individuals from qualifying for Title 20 subsidized child day-care funds if they are enrolled in certain types of continuing education programs. My amendment would reverse this policy and place in legislative statute and reverse regulations by the DPW that persons who are financially eligible, low-income people, would qualify for subsidized child day care if they would enroll in 4-year baccalaureate degrees at a college or university, enroll in a course of English as a second language with fewer than 20 hours per week, and also a GED (general educational development) program fewer than 20 hours per week.

Mr. Speaker, I offer this amendment because these are the people who are most in need of child care assistance. These are the people who are trying to better themselves by getting

a better education, then getting a better job through their educational opportunities, and then it is getting off the welfare rolls. It is also beneficial to the children, as their parents are able to further provide for them.

People under the current Department of Public Welfare regulations and policy have to make a very difficult choice. Do they further their education and thus give up their child care subsistence, thereby providing that child with no care or substandard care, or do they continue to evolve in that continual delay and dilemma on public assistance, never getting that other opportunity for getting an education and getting off of welfare assistance?

I would appreciate a vote for this amendment, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

On the question, the Chair recognizes Mr. Evans.

Mr. EVANS. Mr. Speaker, this particular amendment, as the gentleman expressed, will require that individuals are enrolled and participating in specific educational and vocational programs. However, again I stress to you, Mr. Speaker, that there is an annual cost of \$2.9 million, Mr. Speaker. I would express to you, Mr. Speaker, that again there is no clear answer of how this is going to be paid for. I think the question that we always have to ask ourselves is, exactly how is this going to be paid for?

I would ask the gentleman if he has an answer of exactly where this money is going to come from when we have to pass a budget by July 1. In this bill, I stated to you earlier that we are talking about federalizing GA, which is a savings to the Commonwealth of Pennsylvania of \$247 million. Also, Mr. Speaker, there are some other savings in this particular bill.

I do not believe, Mr. Speaker, that we need to talk about subsidized day care when we do not have the answer of where we are going to pay for it, Mr. Speaker.

RULES SUSPENDED

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Freeman, who moves to suspend rule 15.

Mr. FREEMAN. Thank you, Mr. Speaker.

Mr. Speaker, I move that the House suspend rule 15 so we can continue to be in session.

The SPEAKER pro tempore. The motion is in order.

On the question,

Will the House agree to the motion?

Mr. RYAN. Mr. Speaker?

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. RYAN. On the question before the House.

The SPEAKER pro tempore. Rule 15 is to suspend the rules so that we can operate after the hour of 11.

Mr. RYAN. Thank you.

Is that debatable?

The SPEAKER pro tempore. Does the gentleman wish to be recognized, or do you want to wait until 11 o'clock?

Mr. RYAN. Mr. Speaker, I had a meeting a little while ago with the leaders from the other side, and the question came up as to what our thinking was with respect to continuing on for the night. It was my thought, inasmuch as we cooled our heels here for some 4 or 5 hours while you guys were out doing whatever you did, that if we could not get it done by 11, there is no sense our staying here until 4 in the morning while you still did not get it done.

That being the case, I said that I was not willing to vote to suspend the rules, nor was I willing to recommend that we suspend the rules. However, Chairman Evans came over to see me a moment ago, just trying to get partway through this particular bill that we have before us now. I said, if you want to drag it for another 10, 15 minutes, you know, that is all right until 11:15. You know, go ahead and do it, and if we can close that bill up or get partway through it, I am not going to complain about it. But I am not going to vote to suspend the rules now without a full vote, which I will oppose, and I do not know whether I win it or I lose it, but, I mean, I am just telling you where I am coming from.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the majority leader, Mr. Itkin.

Mr. ITKIN. Mr. Speaker, I would just like to say that I agree with the minority leader, that we had discussed this issue. He has been very patient. I would hope that Mr. Freeman would withdraw his motion. We intend to just work another 15 or 20 minutes, and then we will adjourn for the evening and come back tomorrow. So I would hope that Mr. Freeman would—

Mr. FREEMAN. Mr. Speaker?

The SPEAKER pro tempore. For what purpose does the gentleman rise?

Mr. FREEMAN. I do not claim to be all that knowledgeable on time nor on various passages of the Bible. I guess it was Joseph who made time stand still, or Joshua actually. However, I will amend my motion to read that we suspend rule 15 so that we can continue in session until 11:15. I think it is important that we at least observe the form of the rules that we have before us.

The SPEAKER pro tempore. The gentleman's point of order is well taken.

On the question recurring,

Will the House agree to the motion?

The following roll call was recorded:

YEAS—191

Acosta	Fargo	Levdansky	Rudy
Adolph	Farmer	Linton	Ryan
Allen	Fee	Lloyd	Santoni
Argall	Fichter	Lucyk	Sather
Armstrong	Fleagle	Lynch	Saurman
Baker	Flick	Manderino	Saylor
Barley	Freeman	Markosek	Scheetz
Battisto	Gamble	Marsico	Schuler
Bebko-Jones	Gannon	Masland	Scrimenti
Belardi	Geist	Mayernik	Semmel

Belfanti	George	McCall	Serafini
Birmelin	Gerlach	McGeehan	Smith, B.
Bishop	Gigliotti	McNally	Smith, S. H.
Blaum	Godshall	Melio	Snyder, D. W.
Boyes	Gordner	Michlovic	Staback
Brown	Gruitza	Micozzie	Stairs
Bush	Gruppo	Mihalich	Steelman
Butkovitz	Hanna	Miller	Steighner
Buxton	Harley	Mundy	Steil
Caltagirone	Hasay	Murphy	Stern
Cappabianca	Heckler	Nailor	Stetler
Carr	Hennessey	Nickol	Stish
Carone	Herman	Nyce	Strittmatter
Cawley	Hershey	O'Brien	Sturla
Cessar	Hess	Olasz	Surra
Chadwick	Hughes	Oliver	Tangretti
Civera	Hutchinson	Perzel	Taylor, E. Z.
Clark	Itkin	Pesci	Taylor, J.
Clymer	Jadlowiec	Petrarca	Thomas
Cohen, M.	James	Petrone	Tigue
Colafella	Jarolin	Pettit	Tomlinson
Colaizzo	Josephs	Phillips	Trello
Cornell	Kaiser	Piccola	True
Corrigan	Kasunic	Pistella	Tulli
Cowell	Keller	Pitts	Uliana
Coy	Kenney	Platts	Vance
Curry	King	Preston	Van Horne
Daley	Kirkland	Raymond	Vitali
DeLuca	Krebs	Reber	Waugh
Dempsey	Kukovich	Reinard	Williams
Dent	LaGrotta	Richardson	Wogan
Dermody	Laub	Ritter	Wright, M. N.
Donatucci	Laughlin	Roberts	Yandrisevits
Druce	Lawless	Robinson	Yewcic
Durham	Lederer	Roebuck	Zug
Egolf	Lee	Rohrer	DeWeese,
Evans	Leh	Rooney	Speaker
Fairchild	Lescovitz	Rublely	
Fajt			

NAYS—5

Bunt	Gladeck	Maitland	Wright, D. R.
Cohen, L. I.			

NOT VOTING—2

Rieger	Veon
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EXCUSED—5

Haluska	O'Donnell	Trich	Wozniak
Merry			

A majority of the members elected to the House having voted in the affirmative, the question was determined in the affirmative and the motion was agreed to.

CONSIDERATION OF HB 1341 CONTINUED

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

The SPEAKER pro tempore. On the amendment, the Chair recognizes the lady, Ms. Ritter.

Ms. RITTER. Thank you, Mr. Speaker.

I am a cosponsor of HB 348, of which Mr. Herman is the prime sponsor and on which this amendment is based, and I am very much in support of this concept. I am not sure though,

as we looked at this bill in caucus, whether or not it is drafted to include enough, to include technical schools and all the 2-year schools that are already covered under current law, and whether or not there might be some other things that we missed.

I do have a question though, and I wondered if I might interrogate the chairman of the Aging and Youth Committee, Mr. Blaum.

The SPEAKER pro tempore. Will the gentleman agree to interrogation? The gentleman says he will.

Ms. RITTER. Thank you, Mr. Speaker.

Mr. Speaker, I would like to see this legislation get a hearing and be discussed in the Aging and Youth Committee. Can you tell me what your intentions are regarding this bill, and I know we have other bills in the committee; I am a member of that committee. I know we have other bills that deal with child care. Can you tell me what your intentions are as it relates to those bills?

POINT OF ORDER

Mr. GANNON. Mr. Speaker?

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Gannon.

Mr. GANNON. Mr. Speaker, the issue before the House is the Herman amendment 1260, not any other bill that may be in any other committee of the House, and I would ask that the Speaker keep the debate on the Herman amendment.

The SPEAKER pro tempore. The gentleman's point is well taken, and the Chair thanks the gentleman.

The lady will keep her remarks to the Herman amendment.

Ms. RITTER. Well, Mr. Speaker, it is important to making a decision about this amendment that we know what might happen to this bill. So I would ask the chairman if he would tell us what he intends to do with that bill.

Mr. GANNON. Mr. Speaker?

The SPEAKER pro tempore. For what reason does the gentleman rise?

Mr. GANNON. Mr. Speaker, I am going to have to insist that any interrogation be— Enforce the rule of the House, not for me. But the rule of the House, I am going to ask, insist, that you enforce the rule of the House and keep the debate on the Herman amendment.

The SPEAKER pro tempore. The lady will please limit her remarks to the Herman amendment.

Ms. RITTER. All right.

Mr. Speaker, since it is important to me to know what might happen to that bill, I cannot really speak in favor of or against this amendment at this time. Thank you.

The SPEAKER pro tempore. The Chair thanks the lady.

On the question, the Chair recognizes the gentleman, Mr. Lloyd.

Mr. LLOYD. Thank you, Mr. Speaker.

Mr. Speaker, I oppose this amendment for two different reasons.

I had a visit on Friday of last week from a constituent, a woman who is the sole support for two children. One of those

children has some serious physical problems. They are on welfare, and she is trying very hard to get off. She is going to a program for home health care assistance, and she does not qualify for most of the various benefits because the income that they get is just above the line.

This amendment, as it is drafted, would not entitle her to child care. On the other hand, as it is drafted, this amendment is going to provide subsidized day care for anybody who goes to college or anybody who goes to graduate school.

Mr. Speaker, I mean, you can make arguments, and I am sure there are some cases of those people who need the help, but to have a blanket rule saying that we are going to provide day care for those people when we do not provide it for the people who are on welfare who are trying at some kind of technical training I think is wrong, and to say that we are going to spend tax dollars to subsidize day care for people who are going for postgraduate degrees, I think, Mr. Speaker, that is not a good use of tax money, and I think we ought to reject this amendment.

The SPEAKER pro tempore. The Chair recognizes the gentleman, Mr. Blaum.

Mr. BLAUM. Thank you, Mr. Speaker.

Mr. Speaker, I rise to oppose this amendment at this time. I think that the gentleman, Mr. Lloyd, made some very good points.

The whole issue of day care in the Commonwealth of Pennsylvania is something that we all have to address. There are working families who are on waiting lists that do not have the kind of child care that they should have. To expand this when we do not have the money, we do not have the money to provide the child care that we should be providing to the people who are out there applying for jobs and in jobs. We read articles of children who are home, left alone, because the parents do not have any adequate child care while they go to work. To expand this to the point of \$2.5 million, which the gentleman, Mr. Evans, rightly points out, correctly points out we do not have, is to fool the people of Pennsylvania.

We need to take an indepth look at the entire child care system of Pennsylvania and how we might better provide adequate protection and adequate child care, quality child care, to the people of this Commonwealth — people who are working. If we can find a way to include people who are full-time students and trying to better themselves, we should do that, too. But we only have a limited amount of money, and until we explore a whole host of alternatives, a whole host of alternatives that I think are out there that we can get the approval of the Appropriations Committee for, then we are kidding people.

So I ask that we oppose this amendment at this time and revisit this issue in a couple of months when we take a broad look at the whole issue of child care in Pennsylvania. Thank you, Mr. Speaker.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the gentleman, Mr. Herman, on the amendment.

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

I appreciate the comments of the previous speakers. I would like to correct some of the things that they had said regarding the amendment, as well as clarify the rationale for this amendment and its necessary enactment.

First of all, this does not qualify everyone who wants to go to a postgraduate secondary school for subsidized child care. You still have to be financially eligible. That still means you have to be low income. You still have to qualify financially for subsidized child care.

To give further credence to that is the fact that under the current Department of Public Welfare regulations, if you enroll in a 2-year associate degree, you do receive subsidized child care if you are financially eligible.

Now, why is it that we allow someone to get subsidized child care if they are a 2-year degree but not for a 4-year degree? Obviously, if one gets a 4-year degree, they are in a better position to get a better job because they have greater educational opportunities and, therefore, off the welfare assistance.

The reason I offer this amendment, Mr. Speaker, comes from a true-life situation, and that is that one of my constituents received services from Easter Seals for one of her children. She received subsidized child care because she was low or moderate income and because of the condition of her child. She wished to enroll in a college or university in order to get a degree and, therefore, get a better job and hopefully someday get off the subsistence that she has been receiving for the past number of years. But upon learning about the Department of Public Welfare regulations, she found that being a single mother, being a single parent, a child with an Easter Seals condition, that if she would do so, she would lose her child care benefits.

Now, obviously the dilemma is one in which a person has to choose. Obviously, if you are enrolled in that college or university, you cannot take your child into the classroom. The child has to be cared for while you are away getting that education in the classroom. Therefore, if one would be so irresponsible to enroll and give up their child care benefits, that means that that child would receive substandard care or no care at all.

Obviously, the parent would take the other route, those who are responsible, and that is they would not enroll in that college or university. They would not get that education and that degree and, therefore, would disenfranchise themselves from those greater employment opportunities.

I would like to read a letter, Mr. Speaker, that I received from another constituent, not even one of my constituents. But this letter reads:

It has come to my attention that impoverished adult college students with dependants are not permitted to be recipients of the Title XX funds. This affects me directly. I am a single parent seeking a degree in elementary education.... Because of course load, and parental responsibilities I am unable to work. Consequently I must rely on the Dept. of Public Welfare to survive. I am alarmed that I

am ineligible for the Title XX funds because welfare grants, medical assistance and food stamps do not satisfy the basic needs of my son.

Child care is of utmost importance. I attempt to align my class schedule with my son's school schedule and am fairly successful. But there are days this coming semester in which my schedule demands that I am on campus when my dependant is not in school. I cannot afford child care. The monies received from assistance barely pays the bills!

I am a...member of Phi Kappa Phi, Phi Eta Sigma, Alpha Sigma Lambda and was considered for a Rhodes Scholarship.... I...maintained a...3.975 average.... I do intend to get off welfare relatively soon and repay my "debt to society". I will become a taxpayer, community servant and educator. Unlike some entitled to the Title XX funds my income will be beyond the resource level allowed. I will not be a burden to society because of sub-standard income and the need for subsidy.

It makes sense to me that individuals who are in training for higher paying occupations should be able to take advantage of the Title XX Funds simply because those individuals will not be using the funds post-graduation.

I have other letters, Mr. Speaker, that are of the same situation where people want to better themselves for a greater opportunity and greater employment opportunities to get a better job and get off welfare assistance. This is what this whole debate about welfare reform is all about, to try to help people in need, but also to try to help people who want to help themselves.

I also would like to address Representative Evans' question regarding funding, because as he well knows, this Commonwealth currently in this fiscal year is receiving estimated block grant moneys from the child care and development block grant program of \$29.5 million. Next year the recommended amount will be nearly \$30.9 million, an increase of Federal block grant funds, and certainly there is an opportunity there to help many more people who will not be able to receive those child care funds if they enroll in college institutions.

Again, this amendment is designed to provide that those people who wish to better themselves or continue their education will not lose the child care subsidies that they are currently receiving.

Thank you, Mr. Speaker. I would appreciate an affirmative vote.

The SPEAKER pro tempore. The Chair thanks the gentleman.

The Chair recognizes the lady, Ms. Ritter.

Ms. RITTER. Thank you, Mr. Speaker.

As I said, I support the concept that is embodied in this amendment. As I mentioned, I am a cosponsor of the House bill from which the language was taken. I, too, have had constituents who have been adversely affected by the current law which limits these subsidies to folks who are enrolled in 2-year programs. I will support decreasing or eliminating other line items in the budget in order to make up the funding that this change in the law, that this program, will require. The

legislation we are dealing with tonight, however, is intended to reduce costs in the welfare system, and as worthy as it is, this amendment will increase those costs.

The chairman of the Aging and Youth Committee has assured us that this issue will be discussed in the hearings that are going to be held this summer. As a member of that committee, I will do everything I can to make sure that not only is this legislation and this issue addressed in those hearings but that the legislation that comes about as a result of those hearings will deal with this issue.

On that basis and on the basis of the remarks made by the gentleman, Mr. Lloyd, and the gentleman, Mr. Evans, I would ask the members to vote "no" on this amendment at this time.

The SPEAKER pro tempore. The Chair thanks the lady.

On the question recurring,

Will the House agree to the amendments?

The following roll call was recorded:

YEAS—83

Adolph	Egolf	Hutchinson	Saylor
Allen	Fairchild	Jadlowiec	Scheetz
Argall	Fajt	Kenney	Schuler
Armstrong	Fargo	King	Semmel
Baker	Farmer	Lee	Serafini
Barley	Fleagle	Maitland	Smith, B.
Boyes	Flick	Masland	Smith, S. H.
Brown	Freeman	Micozzie	Snyder, D. W.
Bunt	Gamble	Miller	Stairs
Bush	Gannon	Nyce	Stern
Cassar	Geist	O'Brien	Strittmatter
Chadwick	Gerlach	Perzel	Sturla
Civera	Godshall	Pettit	Taylor, E. Z.
Clark	Gruppo	Phillips	Taylor, J.
Clymer	Harley	Piccola	Tomlinson
Cohen, L. I.	Hasay	Raymond	Tulli
Cornell	Heckler	Reinard	Uliana
Dempsey	Hennessey	Rublely	Wogan
Dent	Herman	Rudy	Wright, M. N.
Druce	Hershey	Ryan	Zug
Durham	Hess	Sather	

NAYS—114

Acosta	George	Manderino	Rohrer
Battisto	Gigliotti	Markosek	Rooney
Bebko-Jones	Gladeck	Marsico	Santoni
Belardi	Gordner	Mayernik	Saurman
Belfanti	Gruitza	McCall	Scrimenti
Birmelin	Hanna	McGeehan	Staback
Bishop	Hughes	McNally	Steelman
Blaum	Itkin	Meljo	Steighner
Butkovitz	James	Michlovic	Steil
Buxton	Jarolin	Mihalich	Stetler
Caltagirone	Josephs	Mundy	Stish
Cappabianca	Kaiser	Murphy	Surra
Carn	Kasunic	Nailor	Tangretti
Carone	Keller	Nickol	Thomas
Cawley	Kirkland	Olasz	Tigue
Cohen, M.	Krebs	Oliver	Trello
Colafella	Kukovich	Pesci	True
Colaizzo	LaGrotta	Petrarca	Vance
Corrigan	Laub	Petrone	Van Horne
Cowell	Laughlin	Pistella	Veon
Coy	Lawless	Pitts	Vitali
Curry	Lederer	Platts	Waugh

Daley	Leh	Preston	Williams
DeLuca	Lescovitz	Reber	Wright, D. R.
Dermody	Levdansky	Richardson	Yandrisevits
Donatucci	Linton	Ritter	Yewcic
Evans	Lloyd	Roberts	
Fee	Lucyk	Robinson	DeWeese,
Fichter	Lynch	Roebuck	Speaker

NOT VOTING—1

Rieger

EXCUSED—5

Haluska	O'Donnell	Trich	Wozniak
Merry			

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 PASSED OVER

The SPEAKER pro tempore. HB 1341 is passed over for the day.

**THE SPEAKER (H. WILLIAM DeWEESE)
PRESIDING**

ANNOUNCEMENT BY MINORITY LEADER

The SPEAKER. The Chair recognizes the gentleman from Delaware County, Mr. Ryan.

Mr. RYAN. It is my guess that there will be no further votes. I would like to make an announcement before my members leave.

I had an 8:30 meeting of our committee chairmen and leadership which I am now calling off. I will buy you breakfast some other day. Thank you, Mr. Speaker.

The SPEAKER. The Chair thanks the gentleman.

**HOUSE BILLS
INTRODUCED AND REFERRED**

No. 1481 By Representatives FAJT, PESCI, TRELLO, LEVDANSKY, PETTIT, STABACK, ROONEY, RAYMOND, D. W. SNYDER, TOMLINSON and OLASZ

An Act providing for real estate broker liens in the amount of compensation due for services rendered by the broker in connection with certain real estate transactions.

Referred to Committee on PROFESSIONAL LICENSURE, May 3, 1993.

No. 1491 By Representatives WOZNIAK, BELARDI, DEMPSEY, BELFANTI, RAYMOND, TRELLO, PETRARCA, LEH, TOMLINSON, MUNDY, VEON, BROWN, E. Z. TAYLOR, TULLI, SCHEETZ, HALUSKA, BATTISTO, WOGAN, FLICK, TANGRETTI, COY, MIHALICH, COLAIZZO, GAMBLE, OLASZ, GEIST,

BUNT, STAIRS, PERZEL, GIGLIOTTI, FARGO and ADOLPH

An Act recognizing the current and historical common language of the citizens of the United States; designating the use of the common language for official acts of this Commonwealth and its municipalities; and providing for a right of action.

Referred to Committee on STATE GOVERNMENT, May 3, 1993.

SENATE BILL FOR CONCURRENCE

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

SB 753, PN 816

Referred to Committee on APPROPRIATIONS, May 3, 1993.

The SPEAKER. The Chair recognizes the majority leader for an announcement.

The Chair would respectfully request the members to linger for just one moment for an overview of tomorrow's activities. The gentleman is recognized.

Mr. ITKIN. Mr. Speaker, I move that the House do now adjourn until Tuesday, May 4, 1993— One moment. I yield to the gentleman from Delaware.

REPUBLICAN CAUCUS

Mr. RYAN. Mr. Speaker, thank you.

The Republicans will caucus at 10 o'clock tomorrow morning. Our caucus did not go beyond what was expected to be done today, and we will need a caucus tomorrow, so Republicans will meet at 10 a.m. Thank you.

Mr. ITKIN. Mr. Speaker, there is no need for a Democratic caucus tomorrow morning, and I will yield the floor now to Mr. Rooney.

BILLS AND RESOLUTIONS PASSED OVER

The SPEAKER. Without objection, all remaining bills and resolutions on today's calendar will be passed over. The Chair hears no objection.

ADJOURNMENT

The SPEAKER. The Chair recognizes Mr. Rooney.

Mr. ROONEY. Mr. Speaker, I move that this House do now adjourn until Tuesday, May 4, 1993, at 11 a.m., e.d.t., unless sooner recalled by the Speaker.

On the question,

Will the House agree to the motion?

Motion was agreed to, and at 11:15 p.m., e.d.t., the House adjourned.