

HOUSE OF REPRESENTATIVES

MONDAY, February 3, 1941.

The House met at 9 p. m.

The SPEAKER (Elmer Kilroy) in the Chair.

PRAYER

The Chaplain, Rev. Donald McFall offered the following prayer:

Our heavenly Father, Father of us all and of all mankind, we seek thy blessing this night because we need thee. Grant that thy Spirit may be permitted to guide the affairs of this great Commonwealth.

We realize, Our Father, that a three-fold responsibility challenges us each day that thou dost give us life, and health, and an opportunity for service, We well know, O God, that our first obligation is to thee—the Creator and Ruler of the universe. Our next duty is to others. May we never fail to help our neighbor, not only at home but across the sea. Our final commission is to be true to ourselves no matter what the cost may be.

Help us to do all our work in the spirit of being co-partners with thee in forwarding thy great purpose in the world today.

Hear our prayer, we beseech thee. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Tuesday, January 28, 1941.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. TAYLOR., the further reading was dispensed with and the Journal approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

REQUEST TO ADDRESS JOINT SESSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, February 3, 1941
To the Honorable, the General Assembly of the
Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the members in Joint Session this evening at nine-thirty o'clock.

ARTHUR H. JAMES.

GOVERNOR INVITED TO ADDRESS JOINT SESSION

Mr. MUNLEY. Mr. Speaker, I move that His Excellency, the Governor of the Commonwealth be invited to the Hall of the House to address the General Assembly at a time to be fixed by concurrent resolution.

The motion was agreed to.

SENATE MESSAGE

JOINT SESSION

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

In the Senate, February 3, 1941.

Resolved, (if the House of Representatives concur)

That the Senate and House of Representatives meet in joint session Monday evening, February 3, 1941, at 9:30 o'clock in the Hall of the House of Representatives for the purpose of hearing the budget message of His Excellency, the Governor of the Commonwealth.

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

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

RESOLUTION FOR CONCURRENCE

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

In the Senate, February 3, 1941.

Resolved, (if the House of Representatives concur) That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives (if the House shall appoint such committee), to escort His Excellency, the Governor, to the Hall of the House to present his budget message to the Members of the General Assembly in Joint Session this day at 9:30 o'clock.

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

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a Committee on the part of the House to act with a similar committee on the part of the Senate to escort the Governor to the Hall of the House, Messrs. Moul, Reuben E. Cohen and Norman Wood.

RESOLUTION

COMMITTEE TO ESCORT SENATE TO HALL OF HOUSE

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

In the House of Representatives, February 3, 1941,

Resolved, That the Speaker appoint a committee of two to escort the Members of the Senate to the Hall of the House this day at 9:30 o'clock, for the purpose of attending the Joint Session of the General Assembly.

COMMITTEE APPOINTED

The SPEAKER. The Chair appoints as a committee to escort the Senate to the Hall of the House, Messrs. Gerard and Charles H. Brunner.

BILLS INTRODUCED AND REFERRED

By Mr. DOLON.

HOUSE BILL No. 129.

An Act to add sections three hundred and fourteen and three hundred fifteen to article three of the act, approved the twenty-eighth day of May, one thousand nine hundred and thirty-seven (P. L. 1053), entitled "An act relating to the regulation of public utilities; defining as public utilities certain corporations, companies, associations, and persons; providing for the regulation of public utilities, including, to a limited extent, municipalities engaged in public utility business, by prescribing, defining, and limiting their duties, powers, and liabilities, and regulating the

exercise, surrender or abandonment of their powers, privileges, and franchises; defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle; conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies, and corporations, including, to a limited extent, municipal corporations subject to this act, and administering the provisions of this act; authorizing the commission to fix temporary rates; placing the burden of proof on public utilities to sustain their rates and certain other matters; authorizing a permissive or mandatory sliding scale method of regulating rates; providing for the supervision of financial and contractual relations between public utilities and affiliated interests, and supervision and regulation of accounts and securities or obligations issued, assumed, or kept by persons, associations, Companies, Corporations or municipal corporations subject to this act; conferring upon the commission power to vary, reform, or revise certain contracts; conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection, or abolition of crossings of facilities of public utilities, and of such facilities by or over public highways, to appropriate property for the construction or improvement of such crossings, and to award or apportion resultant costs and damages; authorizing owners of such property to sue the Commonwealth for such damages; providing for ejectment proceedings in connection with the appropriation of property for crossings; conferring upon the commission power to control and regulate budgets of public utilities; imposing upon persons, associations, companies, and corporations (except municipal corporations) subject to regulation, the cost of administering this act; prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action; giving the court of common pleas of Dauphin County exclusive original jurisdiction over certain proceedings; prescribing penalties, fines, and imprisonment for violations of the provisions of this act and regulations and orders of the commission, and the procedure for enforcing such fines and penalties; and repealing legislation supplied and superseded by or inconsistent with this act," prohibiting certain public utilities from imposing penalties by reason of the late payments of service charges by consumers, and prohibiting certain public utilities from imposing minimum or meter charges.

Referred to the Committee on Public Utilities.

By Mr. DOLON. HOUSE BILL No. 130.

To further amend the first paragraph and clause (b) of section nine of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2051), entitled "An act relating to public assistance; providing for and regulating assistance to certain classes of persons designated and defined as dependent children, aged persons, blind persons and other persons requiring relief; providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose; authorizing the Department of Public Assistance to cooperate with, and to accept and disburse moneys received from, the United States Government for assistance to such persons; providing for the liquidation of the State Emergency Relief Board, Boards of Trustees of the Mother's Assistance Fund, and Boards of Trustees of Pension Fund for the Blind; and repealing laws relating to mother's assistance, pensions for the blind, old age assistance, and the State Emergency Relief Board," prohibiting the requiring of aged persons to convey or encumber property to the Commonwealth as a prerequisite to receiving assistance.

Referred to the Committee on Welfare.

By Mr. DOLON. HOUSE BILL No. 131.

Requiring the county treasurer to adjourn county treasurers' sales of seated and unseated lands for non-

payment of taxes in all counties except counties of the first class, and preserving the lien of all taxes on such lands.

Referred to the Committee on Judiciary Special.

By Mr. DOLON. HOUSE BILL No. 132.

To amend section seven hundred twenty-seven of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-nine (P. L. 872), entitled "An act to consolidate, amend and revise the penal laws of the Commonwealth," by providing that a child may not be required to institute a prosecution for abandonment or non-support against its parent or other person charged with its care.

Referred to the Committee on Welfare.

By Mr. DOLON. HOUSE BILL No. 133.

To provide for the inspection of meters used by certain public utility companies; prohibiting certain public utility companies from using false meters; imposing duties upon the Public Utility Commission; and providing penalties.

Referred to the Committee on Public Utilities.

By Mr. DOLON. HOUSE BILL No. 134.

To amend section two hundred and one of the act, approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 853), entitled "An act relating to taxation; designating the subjects, property and persons subject to and exempt from taxation for all local purposes; providing for and regulating the assessment and valuation of persons, property and subjects of taxation for county purposes, and for the use of those municipal and quasi-municipal corporations which levy their taxes on county assessments and valuations; amending, revising and consolidating the law relating thereto; and repealing existing laws," making the real estate of public service companies subject to taxation.

Referred to the Committee on Public Utilities.

By Mr. DOLON. HOUSE BILL No. 135.

To amend subsection (c) of section three of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-seven (P. L. 2045), entitled "An act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives, and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure", by providing that no child may be required or coerced to institute proceedings for the attachment of its parent or parents for non-compliance with a court order for support.

Referred to the Committee on Welfare.

By Messrs. WILLIAMS and LOVETT.
HOUSE BILL No. 136.

To further amend section four of the act, approved the second day of June, one thousand nine hundred thirty-seven (P. L. 1198), entitled "An act relating to employes and organizations thereof; defining labor disputes; prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes, and the scope thereof; declaring certain undertakings and promises between employers and employes contrary to public policy and void; prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations; prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions; prescribing the procedure in case of appeal from granting injunctions; limiting the duration of temporary and per-

manent injunctions in case of labor disputes; and providing for payment of costs; and repealing all acts or parts of acts inconsistent herewith," by extending the provisions thereof to certain additional cases.

Referred to the Committee on Labor.

By Messrs. HELM and GATES. HOUSE BILL No. 137.

To further amend clause (a) of section six hundred and seventeen of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," permitting contracts for repairs or replacements to school plants without public notice in case of emergencies happening at any time.

Referred to the Committee on Education.

By Messrs. HELM and GATES. HOUSE BILL No. 138.

To further amend subsection seven of section one thousand two hundred ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," by increasing the minimum salaries of school teachers in school districts of the fourth class.

Referred to the Committee on Education.

By Messrs. WEISS and BOORSE. HOUSE BILL No. 139.

An Act to amend section one of the act which became effective on the seventh day of July, one thousand eight hundred and seventy-nine (P. L. 194), entitled "An act to enlarge the jurisdiction of justices of peace, and regulating the fees of constables making sales under this act," further enlarging the jurisdiction of justices of the peace and extending the provisions of said act to aldermen.

Referred to the Committee on Judiciary Special.

By Mr. FLEMING. HOUSE BILL No. 140.

An act to add section eleven and one-tenth to the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," providing further procedure after claims are filed.

Referred to the Committee on Judiciary Special.

By Mr. STAMBAUGH. HOUSE BILL No. 141.

An Act to amend section nine hundred thirteen of the act, approved the third day of June, one thousand nine

hundred and thirty-seven (P. L. 1333), entitled "An act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections," authorizing the various county boards of election to waive the fees required for filing nomination petitions for certain officers.

Referred to the Committee on Elections.

By Mr. STAMBAUGH. HOUSE BILL No. 142.

An Act establishing as State highways all existing township roads in townships of the first and second class which have not heretofore been established as State highways and highways hereafter established by the proper court of quarter sessions; authorizing their construction, maintenance and improvement under certain conditions and restrictions, and authorizing the Secretary of Highways under certain conditions to petition the court of quarter sessions to vacate certain of said roads.

Referred to the Committee on Highways.

By Mr. STAMBAUGH. HOUSE BILL No. 143.

An Act to further amend section one of the act, approved the second day of May, one thousand eight hundred and ninety-nine (P. L. 184), entitled "An act to provide revenue by imposing a mercantile license tax on venders of or dealers in goods, wares and merchandise, and providing for the collection of said tax," as amended, exempting wholesale and retail venders and dealers from paying such tax on goods, wares and merchandise sold to the Commonwealth.

Referred to the Committee on Ways and Means.

By Mr. COOK. HOUSE BILL No. 144.

An Act authorizing the Department of Property and Supplies with the advice and approval of the Pennsylvania Historical Commission to acquire on behalf of the Commonwealth of Pennsylvania certain land upon which is located the site of Fort LeBoeuf in Waterford Borough, Erie County, or so much thereof as may be necessary as a historical memorial; providing for the control, management, supervision, improvement, restoration, and maintenance thereof; authorizing the Pennsylvania Historical Commission in cooperation with other agencies to make and enforce rules and regulations for the preservation and visitation thereof; authorizing the Pennsylvania Historical Commission to cooperate with the Daughters of the American Colonists and interested patriotic societies in providing funds for a restoration of Fort LeBoeuf; and making an appropriation.

Referred to the Committee on State Government.

By Mr. HEWITT. HOUSE BILL No. 145.

An Act validating county treasurers' deeds where the acknowledgement of such deed or deeds was defective in any respect, if in fact such acknowledgment was taken before a judge of the county.

Referred to the Committee on Judiciary Special.

By Mr. D'ORTONA. HOUSE BILL No. 146.

An Act to add sections four and five to the act, approved the third day of June, one thousand nine hundred and nineteen (P. L. 369), entitled "An act providing for the appointment by the district attorney, in counties having a population of over one million five hundred thousand in-

habitants, of a chief county detective, an assistant chief county detective, and special county detectives; defining their duties; defining their authority; fixing their salaries, and authorizing the payment of the same, together with the necessary traveling expenses, by the county," prohibiting political activity; and providing penalties.

Referred to the Committee on Cities—First Class.

By Messrs. HELM and GATES. HOUSE BILL No. 147.

An Act to further amend subsection (a) of section one thousand two hundred and five of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by authorizing the dismissal of female teachers becoming married after July first, one thousand nine hundred and forty-one.

Referred to the Committee on Education.

By Mr. FRENCH. HOUSE BILL No. 148.

An Act making an appropriation to the Department of Public Assistance for the purpose of contributing to the support of the Works Project Administration Sewing Project in Pennsylvania.

Referred to the Committee on Appropriations.

By Mr. ROSENFELD. HOUSE BILL No. 149.

An Act to further amend sections two and sixteen of the act, approved the twentieth day of June, one thousand nine hundred nineteen (P. L. 521), entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death; defining and taxing transfers made in contemplation of death; defining as a transfer and taxing the right of survivorship in property as to which such right exists; and making it unlawful for any corporation of this Commonwealth, or national banking association located therein, to transfer the stock of any such decedent, until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by increasing the rate of tax in certain cases.

Referred to the Committee on Ways and Means.

By Mr. ROSENFELD. HOUSE BILL No. 150.

To amend sections ten, twelve and seventeen of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 429), entitled "An act relating to the descent and distribution of the real and personal property of persons dying intestate; and to provide for the recording and registering of the decrees of the orphans' court in connection therewith, and the fees therefor," limiting the heirs or next of kin of an intestate entitled to take from his estate.

Referred to the Committee on Ways and Means.

By Mr. ECKELS. HOUSE BILL No. 151.

To further amend section twenty-five, and to amend section twenty-nine of the act approved the second day of May, one thousand nine hundred and twenty-nine, (P. L. 1237), entitled "An act affecting marital relations; prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages; and amending, revising and consolidating the law relating thereto," by

providing for notice by registered mail when it proves impossible to secure personal service of the subpoena in divorce.

Referred to the Committee on Judiciary General.

By Mr. ECKELS. HOUSE BILL No. 152.

To amend section one of the act, approved the thirteenth day of May, one thousand nine hundred and twenty-seven (P. L. 984), entitled "An act relating to transactions between a person acting on his own behalf and the same person acting jointly with others, and to make uniform the law relating thereto," by authorizing conveyances from either husband or wife to husband and wife as tenants by the entireties.

Referred to the Committee on Judiciary General.

By Messrs. GILLETTE, FISS and STANK.
HOUSE BILL No. 153.

To further amend the appropriation act, approved the fifth day of June, one thousand nine hundred thirty-seven (Appropriation Act, No. 51-A), entitled "An act making an appropriation out of the Motor License Fund, to the Department of Highways, for expenditure in the various second class townships of the Commonwealth, for the maintenance of township roads and bridges during the calendar years one thousand nine hundred thirty-eight and one thousand nine hundred thirty-nine; apportioning the funds to the several counties on the basis of the maintenance costs for the year one thousand nine hundred thirty-two; permitting the use of any surplus funds for construction and reconstruction and resurfacing of township roads and bridges; requiring townships to exclude provision for maintenance of roads and bridges from their annual budget and tax levy for road and street purposes for said years; authorizing the Department of Highways to rent road building machinery and equipment belonging to such townships in carrying out the provisions of this act; and lapsing the unexpended or unencumbered balance of the appropriation remaining on January first, one thousand nine hundred forty," by further providing that the unexpended and unencumbered balances of such appropriation at the time this act become effective, shall be allocated to and apportioned among the various second class townships on the basis of the amount of road mileage in such townships; authorizing the township supervisors to expend the moneys allocated to the township for the purpose prescribed, under the approval and supervision of the Department of Highways; and excluding the provision for expenditure by the Department of Highways of such balances, the taxing and budgeting limitations on townships of the second class, and the right of the Department of Highways to rent road-building machinery and equipment belonging to such townships.

Referred to the Committee on Appropriations.

By Messrs. GILLETTE, FISS and STANK.
HOUSE BILL No. 154.

Making an appropriation out of the Motor License Fund to the Department of Highways for allocation to and expenditure in the second class townships of the Commonwealth for maintenance, construction, reconstruction, resurfacing or improvement of township roads and bridges during the calendar years one thousand nine hundred forty-two and one thousand nine hundred forty-three; permitting the use of the funds for maintenance and repair of township roads and bridges under certain conditions, and providing for the method of payment to townships.

Referred to the Committee on Appropriations.

By Mr. CORDIER. HOUSE BILL No. 155.

An Act abating certain tax penalties and interest on county, city (except city of the first class), borough, town,

township, school district (except school district of the first class), and county institution district taxes; prohibiting the sale of real property for the nonpayment of any such taxes for a certain period; and preserving certain tax liens, and providing for the extension thereof.

Referred to the Committee on Judiciary Special.

By Messrs. SCHWAB and O'NEILL.

HOUSE BILL No. 156.

An Act to further amend section four hundred eleven of the act approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15-1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in connection with, and transactions in such beverages by licensees and others; providing for the forfeiture of certain property; making disposition of the receipts from State stores and of fees; and imposing penalties," by further fixing the hours during which liquor, malt or brewed beverages may be sold.

Referred to the Committee on Liquor Control.

By Messrs. REYNOLDS and PROSEN.

HOUSE BILL No. 157.

An Act to fix the number of Representatives in the General Assembly of the State; and to apportion the State into representative districts, as provided by the Constitution.

Referred to the Committee on Legislative Apportionment.

By Mr. FALKENSTEIN.

HOUSE BILL No. 158.

An act to further amend sections two hundred and four hundred two, to repeal section eight hundred eight of, and to add section one thousand one hundred three to, the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," transferring the State Employees Retirement Board from the Department of State to the Treasury Department.

Referred to the Committee on State Government.

By Mr. FALKENSTEIN.

HOUSE BILL No. 159.

An Act to further amend sections four and twenty-two of the act, approved the twenty-seventh day of June, one thousand nine hundred twenty-three (P. L. 858), entitled

"An act establishing a State employes' retirement system, and creating a retirement board for the administration thereof; establishing certain funds from contributions by the Commonwealth and contributing State employes; defining the uses and purposes thereof and the manner of payments therefrom, and providing for the guaranty by the Commonwealth of certain of said funds; imposing powers and duties upon the heads of departments in which State employes serve; excepting annuities, allowances, returns, benefits, and rights from taxation and judicial process; and providing penalties," by transferring the State Employees' Retirement Board from the Department of State to the Treasury Department; and transferring certain appropriations.

Referred to the Committee on State Government.

By Mr. HABBYSHAW.

HOUSE BILL No. 160.

An Act to further amend sections six and ten of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds, imposing penalties; and making an appropriation," requiring additional information on reports of distributors and the furnishing of copies thereof to counties; and changing basis for distribution of Liquid Fuels Tax Fund among counties.

Referred to the Committee on Ways and Means.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. WEISS.

RESOLUTION No. 4.

In the House of Representatives, January 28, 1941.

Whereas, For the past ten years, it has been increasingly difficult for the municipalities of this Commonwealth to proceed to collect delinquent taxes; and

Whereas, During this time many acts have been passed and many bills have been introduced having a single purpose, to provide for the abatement of penalties and interest in whole or in part on delinquent taxes, in order that such taxes might be paid; and

Whereas, The purpose of these acts and bills have been to encourage the taxpayers to pay their taxes so that government may function; and

Whereas, The enactment of such legislation has not altogether remedied the situation in that the delinquent tax accounts of these municipalities are still very large; and

Whereas, It is apparent that confusion and doubt exists with respect to the type of measure to be adopted in order to relieve the municipalities of this condition; therefore be it

Resolved, That the Speaker appoint a committee of seven members of the House, whose duty it shall be to investigate the reasons and the causes for the amount of delinquent taxes and that it be directed to make an immediate report and to suggest remedies in order that remedial legislation may be adopted at the present session to relieve these municipalities of their delinquent tax burden; be it further

Resolved, That it shall be the duty of this committee to hold hearings through the State and that an appropriation of five thousand dollars (\$5,000) be made available to it for this purpose.

Referred to the Committee on Rules.

By Messrs. WEISS and MAXWELL.

RESOLUTION No. 5.

In the House of Representatives, January 28, 1941.

Whereas, The appropriation last approved to meet all the needs of the Public Utility Commission was insufficient to provide adequate funds and an adequate field force to investigate the many petitions by the Public Utility Commission for changes in gas and other utility rates; and

Whereas, The people of this Commonwealth will suffer as a result of increased rate or rates that are in effect presently and which should be reduced; and

Whereas, Any expenditures made by the Public Utility Commission for these purposes would be returned by the moneys collected by assessment from the utilities which pay the costs of such investigations; and

Whereas, These moneys would not come from the taxpayer nor would it place a hardship on the Commonwealth by increasing its budget; therefore be it

Resolved, That the House of Representatives hereby urge the Governor, when he considers the budget submitted by the Public Utility Commission, to provide sufficient funds for the maintenance of an adequate field force to protect the interests of the consumer before the Commission in order to prevent undue increases in utility rates and to order decreases in proper cases; and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk of the House of Representatives to His Excellency the Governor.

Referred to the Committee on Appropriations.

By Mr. WEISS.

RESOLUTION No. 6.

In the House of Representatives, January 28, 1941.

Whereas, The Commonwealth of Pennsylvania appropriates large sums to various hospitals in this Commonwealth so that the poor and unfortunate may receive adequate hospital care; and

Whereas, Many of the poor and unfortunate citizens of this Commonwealth complain of the treatment they receive at such hospitals; therefore be it

Resolved, That a committee of five members of the Houses of Representatives be appointed by the Speaker to investigate the possibility of the maintenance of free clinics in such state-aided hospitals; and be it further

Resolved, That said investigating committee inquire into the treatment of the charity patients at such hospitals; and be it further

Resolved, That said investigating committee report to the House of Representatives, as speedily as possible, with appropriate recommendations.

Referred to the Committee on Appropriations.

By Messrs. WEISS and MAXWELL.

RESOLUTION No. 7.

In the House of Representatives, January 28, 1941.

Whereas, It has been stated from time to time that there are many married women gainfully employed in the various administrative departments in the Commonwealth of Pennsylvania; and

Whereas, There are thousands of unmarried women unable to find any kind of employment in this Commonwealth; and

Whereas, If such married women employes who have other income or whose husbands are employed, could be replaced, gainful employment would be available for many of the unemployed and the relief rolls of the Commonwealth would be diminished accordingly; therefore be it

Resolved, That the Governor be required to conduct a survey and that he be directed to transmit to the House of Representatives as early as possible during the present session, a complete list setting forth the names, addresses, the departments in which they work, and the salaries of:

(a) Wives and husbands both of whom are employed by the Commonwealth of Pennsylvania;

(b) Married women employed by the Commonwealth of Pennsylvania who have other sources of income or whose husbands are otherwise employed; and be it further

Resolved, That a copy of this resolution be transmitted by the Chief Clerk of the House of Representatives to His Excellency, the Governor.

Referred to the Committee on State Government.

By Mr. RONALD L. THOMPSON, (Concurrent) RESOLUTION No. 8.

In the House of Representatives, January 28, 1941.

Whereas Many of the operations and activities necessary in the mining industry are extremely hazardous to persons employed in or about the mines and

Whereas In the past many mine disasters have needlessly occurred and many thousands of lives have been unnecessarily lost because of inadequate or neglected safeguards and precautions and

Whereas A Federal mine inspection bill has been passed by the Senate of the United States but has been blocked in the Committee on Mines and Mining in the House of Representatives of the United States and

Whereas In the Commonwealth of Pennsylvania a number of mine disasters have occurred during the pendency of this Federal mine inspection bill which caused the death of some 1500 miners many of whom left behind them families without means of support and

Resolved (if the Senate concur) That the General Assembly of the Commonwealth of Pennsylvania hereby memorialize the Congress of the United States to approve the Federal mine inspection bill be it also

Resolved That one copy of this resolution be forwarded to each of the following

The President of the United States Franklin D Roosevelt
Vice-President Henry A Wallace President of the United States Senate

Speaker Rayburn House of Representatives

Senator Joseph Guffey

Senator James P Davis

All members of the House delegation from Pennsylvania

Referred to the Committee on Mines and Mining.

By Mr. PRESLEY N. JONES RESOLUTION No. 9.

In the House of Representatives, January 28, 1941.

Whereas Don Wilkinson of 73 Bedford Street, Forty-Fort is at present a member of the House of Representatives being duly elected at the general election held November 5 1940 from the VI Legislative District of Luzerne County and was duly sworn in as a member of the House of Representatives on its convening in January 1941 and

Whereas The said Don Wilkinson was duly elected a member of the House of Representatives from the said legislative district at the general election held November 7 1938 and was duly sworn in as a member of the said House of Representatives at its convening in January 1939 and

Whereas The said Don Wilkinson while serving as a member of the House of Representatives as aforesaid introduced and sponsored legislation specifically an act defining the rights powers and duties of county tax collectors etc which act is now known as Act Number 277 approved the 20th day of June 1939 Pamphlet Laws 508 and

Whereas It is believed at the time the said Don Wilkinson introduced the bill aforesaid his purpose and intent was to derive a private pecuniary profit for himself as a collector of such taxes he then being engaged in the collection of similar obligations and was not in furtherance of his sworn obligation as a member of the House of Representatives and

Whereas It is believed at the time the said Don Wilkinson voted on this legislation he was engaged in negotiating contracts with school districts townships and borough officers etc for the collection of taxes thereunder for his own private interest and

Whereas At the time of his voting on such legislation he did not state he was interested privately in such legislation in contravention of Article 3 Section 33 of the Constitution of Pennsylvania which reads

"A member who has a personal or private interest in any measure or bill proposed or pending before the General Assembly shall disclose the fact to the House of which he is a member and shall not vote thereon" and

Whereas If the said Don Wilkinson was interested and so conducted himself he would be guilty of such misconduct as would require his expulsion from the House of Representatives under the provisions of Article 2 Section 11 of the Constitution of Pennsylvania which reads as follows

"Each House shall have power to determine the rules of its proceedings and punish its members or other persons for contempt or disorderly behavior in its presence to enforce obedience to its process to protect its members against violence or offers of bribes or private solicitation and with the concurrence of two-thirds to expel a member but not a second time for the same cause and shall have all other powers necessary for the Legislature of a free State A member expelled for corruption shall not thereafter be eligible to either House and punishment for contempt or disorderly behavior shall not bar an indictment for the same offense"

therefore be it

Resolved That the House of Representatives authorize the Speaker to appoint a committee of five members of the House of Representatives to inquire into and concerning the official conduct of the said Don Wilkinson and to further inquire whether he has been guilty of such misconduct as could be grounds for his expulsion from the House of Representatives and be it further

Resolved That the said committee speedily report to the House of Representatives with appropriate recommendations

Referred to the Committee on Rules.

By Mr. RONALD L. THOMPSON (Concurrent) RESOLUTION No. 10.

In the House of Representatives, January 28, 1941.

Whereas All countries of the Western Hemisphere particularly the United States are in great and imminent danger from the spreading conflict between various European nations and from the increasing spread of undemocratic philosophies of government and

Whereas The future of the United States and the perpetuation of its established political and economic system require that the European conflict and all its manifestations be kept from the Western Hemisphere and from this country and

Whereas Great Britain on land and sea and in the air is now engaged in a valiant and determined struggle to halt the de-civilization of Europe and the World as a result of the general establishment of the pagan Nazi philosophies and

Whereas The furnishing of aid to Great Britain by the United States has already and will in the future greatly facilitate the conduct of the various operations designed to maintain the British Empire and suppress the present conflict and

Whereas The need for increasing such aid to Great Britain is imminent and imperative if the British Empire is to continue as the active and militant opposition to the Nazi plans of world conquest and if any immediate and direct attack upon the countries of the western hemisphere by the axis powers is to be prevented and

Whereas There is now pending before the Congress of the United States a bill (H R 1776) known as the "lease-lend" bill the basic purpose of which is to permit the President of the United States to increase coordinate and expedite the aid to be given Great Britain by the United States and

Whereas The passage of this bill is being unduly delayed partly because of partisan and petty political considerations and partly because of subversive activities of various

organized groups in this country with the result that much valuable time is being lost in furthering the activities of Great Britain and with the result that aid which might be effective now may be ineffective in the future now therefore be it

Resolved (if the Senate concur) That the General Assembly memorialize the Congress of the United States to adopt with all possible dispatch the "lease-lend" bill (H R 1776) in substantially the form introduced and be it further

Resolved That one copy of this resolution be forwarded to each of the following

The President of the United States Franklin D Roosevelt
The Vice-President Henry A Wallace President of the United States Senate

Speaker Rayburn House of Representatives

Senator Joseph Guffey

Senator James P Davis and

All members of the House delegation from Pennsylvania

Referred to the Committee on Federal Relations.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

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

In the Senate, January 13, 1941.

The demand on the part of the people of this Commonwealth for adequate and reasonable pensions to be granted by the Federal Government to aged persons has become one of the major political and economic issues of the present generation.

The cost of the maintenance of our aged persons has, in most cases, been borne by relatives who are frequently unable to assume such burden without seriously affecting their ability to properly provide for their immediate families.

The care of the aged is more a part of the Nation's responsibility than the care of the unemployed. Age is never deliberately assumed, and unemployment is frequently preferred.

Proper care of all aged persons by the Federal Government would assist in creating jobs for the unemployed, therefore be it

Resolved (if the House of Representatives concur), That this General Assembly does hereby memorialize the Representatives in Congress to immediately consider some form of adequate and reasonable allowance to be paid to aged persons, and be it further

Resolved, That copies of this resolution be immediately transmitted by the Secretary of the Senate to the Speaker of the House of Representatives of Washington, the Chairman of the House Ways and Means Committee and the President of the United States Senate, and a copy be forwarded to the President of the United States.

Referred to the Committee on Welfare.

COMMUNICATION

The SPEAKER laid before the House a communication which was read by the Clerk as follows:

Robert M. Fisher, Indiana, Pennsylvania

February 1, 1941.

Hon. Thomas J. Callahan,
Chief Clerk,
House of Representatives,
Harrisburg, Pa.

Dear Mr. Callahan:

This will express to you, to Mr. Kilroy, Mr. Hewitt and all of the members of the House of Representatives the very warm appreciation of the family of the late John S. Fisher for the resolution adopted on his death.

The very sincere tone of the resolution and the appreciative and sympathetic appraisal of his life will always be gratefully remembered.

Sincerely yours,
ROBERT M. FISHER

COMMUNICATIONS

The SPEAKER laid before the House the following communications:

OCCUPATIONAL DISEASE

From Local 607 U.E.R. and M.W. of A. of Greensburg requesting deficiency appropriation to cover claims and liabilities under Occupational Disease Act of 1937.

Referred to the Committee on Appropriations.

PHILADELPHIA STATE HOSPITAL

Mr. Charles A. McBride, Philadelphia, requesting an investigation of Philadelphia State Hospital, known as Byberry.

Referred to the Committee on Appropriations.

PHILADELPHIA CITY CHARTER

Mr. Thomas H. Ringgold, Philadelphia, urging careful consideration of Philadelphia City Charter.

Referred to Cities First Class.

MOTOR FUND

Mr. Henry K. Bauman, Director Department of Streets and Public Improvements, requesting that consideration be given to legislation known as the Perry-Rogers Bill, relative to allocation of motor fund for use of communities.

Referred to the Committee on Cities Third Class.

SCHOOL CODE

Pennsylvania Federation of Teachers submitting copy of legislative program.

Referred to the Committee on Education.

Unmarried teachers who are considering marriage urging adoption of plan whereby married teachers may continue working unless their husbands earn forty dollars weekly.

Referred to the Committee on Education.

Alma Wohlgenuth representing elementary teachers in fourth class districts requesting that consideration be given to increased salaries.

Referred to the Committee on Education.

CIVIL LIBERTIES

Philadelphia Lawyers Guild condemning recommendations "to bar from recognition as political parties any groups which seek to tear down our form of government by force or other methods" and "a special appropriation of \$100,000 for secret investigations of so-called fifth columnists".

Referred to the Committee on Elections.

GAME

Mr. H. O. Kammerdiener, Brookville, requesting amendment of Game Laws to prohibit use of high powered guns during deer season.

Referred to the Committee on Game.

UNEMPLOYMENT COMPENSATION LAW

Supplee-Wills-Jones Milk Company, Philadelphia, requesting amendment of State Unemployment Compensation Law.

Referred to the Committee on Labor.

LABOR

United Mine Workers of America, Local No. 1190, Ellsworth, presenting legislation program: Liberalization of Unemployment Compensation Law; Amending School per capita tax; Restoring Workmen's Compensation Law to 1937 status; Guaranteeing protection for military service draftees and volunteers when they return from camps.

Referred to the Committee on Labor.

TOWNSHIP SUPERVISORS

Earl E. Fry, Glen Campbell, requesting amendment of township supervisors acts.

Referred to the Committee on Townships.

TAXES

Miss Clara Miller, Williamsport, requesting certain exemptions of personal property tax law.

Referred to the Committee on Ways and Means.

UNEMPLOYMENT INSURANCE

Ingber and Company, Philadelphia, requesting relief to employers under the Pennsylvania Unemployment Compensation Insurance Act.

Referred to the Committee on Welfare.

Edward L. Caldwell, Philadelphia, requesting amendment of Unemployment Compensation Law.

Referred to the Committee on Welfare.

PETITIONS

The SPEAKER laid before the House the following petitions:

SCHOOL CODE

The Plain People of Pennsylvania advocating amendments to School Code "to the end that children in rural districts be not compelled to attend school beyond one hundred sixty day term and granting certain exemptions."

Referred to the Committee on Education.

LEAVES OF ABSENCE

By unanimous consent leave of absence was granted as follows:

Mr. Samuel Rose for Mr. FINNERTY.

Mr. Edwin F. Thompson for Mr. ALLMOND for tonight's session on account of business.

REPORT AND DISCHARGE OF COMMITTEE

Mr. GERARD. Mr. Speaker, your committee appointed to wait upon the Senate and escort them to the Hall of the House for the Joint Session has performed that duty and the Senate is now present.

The SPEAKER. The Committee is discharged with the thanks of the House.

The President of the Senate is invited to preside over the Joint Session of the General Assembly and the President pro tempore is invited to a seat on the rostrum.

The Members of the Senate and House will remain

standing until called to order by the President of the Senate.

JOINT SESSION

LIEUTENANT-GOVERNOR SAMUEL S. LEWIS
PRESIDING

LIEUTENANT-GOVERNOR LEWIS. The Joint Assembly will be in order pending the arrival of the Governor.

The SERGEANT-AT-ARMS OF THE SENATE. Mr. President I present to you the Committee appointed to escort the Governor to the Hall of the House.

Mr. SNOWDEN. Mr. President, We have the pleasure and the honor of presenting to you His Excellency, the Governor of the Commonwealth, the Honorable Arthur H. James.

LIEUTENANT-GOVERNOR LEWIS. Mr. Speaker, Members of the Joint Session, I have the honor and pleasure of presenting the Governor of the Commonwealth of Pennsylvania, the Honorable Arthur H. James who will lay before the Joint Session his budget message and address you thereon. The Governor.

MESSAGE OF ARTHUR H. JAMES, GOVERNOR OF PENNSYLVANIA

To the Honorable, the General Assembly of the Commonwealth of Pennsylvania:

I wish to thank you for this opportunity of summarizing Pennsylvania's financial program for the next two years.

Tonight there is being laid on your desks our suggested budget for the biennium which begins in June. You will find also a formal message outlining the program step by step.

In some ways, the budget will be the most important matter to come before this session. Sound finances are the foundation for all else you do. Economy, good administration, remedy of imperfections, improvements of our social structure, the vital needs of defense—all these and others must be built upon financial stability.

Let me say at the outset that this is not a "must" budget. The bills which will be introduced to carry out its provisions will not be "must" bills.

From a multitude of suggestions and plans, we have chosen those which present themselves as the best in sight. If new ideas are brought forward, I will receive them with open mind. If they prove better than those embodied in this message, I shall be pleased to incorporate them.

I ask only that you, of both parties, in your deliberations measure this program solely by the yardstick of public welfare, and I have every confidence and assurance that such is your intention.

I am recommending the program now being placed before you because its enactment and successful completion would give Pennsylvania the following benefits:

It would, without tax increases, furnish money for the full two-year period for all current needs of the State, including expansion of activities in several urgent fields.

It would maintain our present high standard of relief for those who need it.

It would provide for taking our full part in rearmament and in any military developments.

It would absorb all inherited debts and unfinanced obligations.

It would balance Pennsylvania's books.

Enacted and successfully carried out, it would give the next Chief Executive a House of government with the mortgage paid off—a household in which the cost of living would be reduced to many millions of dollars below the present level of tax income.

Two principal objections can be found to the program. It can be argued that we have over-estimated relief needs and that we have under-estimated the effects on our tax incomes of the present industrial expansion due to rearmament.

By lowering relief appropriations and raising tax estimates it would be possible to create an apparent spread between income and needs which would permit cutting taxes during this session. In my judgment, that would be to count chickens not yet hatched.

However, I wish to assure both this Legislature and the men and women of the Commonwealth that the taxpayers will receive the full benefit of any such improvement in financial conditions. If at any time during my term as Governor it becomes clear that our estimates are too conservative, and that our tax receipts will substantially exceed our needs, I will take immediate steps to correct our financial program and cut taxes accordingly, even if a special session for that purpose should be necessary.

On the basis of the estimates now in hand, and disregarding the special funds which have their separate budgets, continuing the present taxes would give the State an income of \$413,000,000 during the next biennium.

What are the state's needs for that period?

The largest single item, and the first to consider, of course is public assistance.

The burden of unemployment, which is the combined totals of persons supported by WPA and general assistance, today is less than half what it was a year ago. Three-fourths of that reduction came before the rearmament program was announced last May, and only one-fourth has occurred since then.

Without going into discussion of how much of the reduction was due to the state's changed attitude toward industry, the work of the Job Mobilization campaign, or the excellent service of our Secretary of Public Assistance, I believe it is evident that the effect of rearmament on relief is only beginning to be felt.

How much unemployment will defense work wipe out? In some quarters we are told that rearmament will find jobs within a few months for every man and woman able to work.

If such predictions are true, our relief needs will become a nominal sum, easy to provide without budget complications.

Several plans are under discussion which would further reduce the state costs by guaranteeing us our fair share of Federal funds and by encouraging local participation through some form of state-operated work relief.

Such factors would be of tremendous help to the taxpayers of this Commonwealth. All of them paint a rosy picture of lowered needs and broadened help in carrying the burden which would reduce relief far below its present cost. Further we face the obvious comparison of two years ago, when none of these factors was at work

and when unemployment was twice as large. If rearmament will continue to reduce relief as rapidly as Pennsylvania was able to reduce unemployment before the defense program began, half the expenditures of the current two years, or about \$100,000,000, should be ample for the biennium.

Nevertheless, I do not believe it would be prudent for us at this time to count on an average relief cost of less than \$5,000,000 a month.

I therefore recommend that the sum of \$120,000,000 be fixed as the minimum for relief appropriation, and further recommend that we add to that amount, as a cushion, all funds left over after other needs have been met. This represents a sum of \$11,000,000 at present. By June, however, unless defense gets in higher gear, this surplus may be reduced, since some relief costs of the present biennium may have to be charged against it. We are asking a new appropriation of fourteen and a half million dollars to continue relief when present appropriations are exhausted. It is not yet certain how much relief funds are needed to last until June.

To return to the budget program: Deducting \$120,000,000 relief appropriations from tax incomes of \$413,000,000 leaves \$293,000,000 for other purposes. We have next to consider the general state operations.

Following the pattern laid down during the last two years, and expanding State activities only where there is imperative need, our program calls for expenditure in State functions outside of relief of \$211,000,000. Deducting that sum leaves a balance of \$82,000,000. From this we must pay back moneys borrowed during the current biennium from various funds, including the motor license fund.

As promised, this money is being returned next June, in time for its use for the purposes intended without delay to any program now in operation or in contemplation. Borrowing this money has permitted us to maintain relief without tax increases and with a minimum of inconvenience.

The total of such refunds under the budget is \$66,000,000. Deducting this amount leaves a balance of \$16,000,000. Out of this we are recommending nearly \$5,000,000 in deficiency appropriations for use in the current biennium. The great bulk of these appropriations are to relieve distressed school districts.

The balance is the \$11,000,000 mentioned, all of which I recommend be made available for relief.

Earlier I referred to an increase in governmental operations to permit us to meet certain vital needs. The total of such new items and increases is about \$12,000,000. Let me very briefly call attention to some of these matters.

The Health and Welfare appropriations are substantially increased, to permit opening buildings constructed or planned by the General State Authority, and thus take care of the institutional waiting lists.

Health activities such as the control of pneumonia and other diseases, will be greatly enlarged, and provision will be made to increase our work of helping supervise the health of our new soldiers now being inducted into service.

An appropriation has been made to permit Pennsylvania soldiers on active duty to vote in our elections, wherever their service calls them.

Another appropriation is recommended to bring teachers' salaries in fourth-class school districts up to a minimum of one thousand dollars a year.

The Budget calls for an increase of one-third in funds available for parole supervision.

I am suggesting that a fund be set aside to permit the Department of Justice to conduct the secret investigations which are the only means of discovering secret subversive activities.

I am suggesting also that an appropriation be made available to permit a commission to undertake a survey of school needs and of the subsidies being granted to school districts on a basis of more than \$70,000,000 dollars a biennium.

An appropriation is recommended to pay the State's share of occupational disease claims.

A large increase is recommended for vocational training and retraining of the unemployed, and for other types of rehabilitation.

In general I consider all of these increases, and various other smaller ones which I have not listed, to be fully warranted. They permit us to extend the State's helping hand to many who badly need it. They meet the new problems of changing times.

You will not find in the budget a lump appropriation earmarked for general defense or wartime purposes. However, this has been provided for. The budget calls for the customary appropriation for our National Guard, now being mustered into service.

It is my suggestion that the appropriation bill covering this appropriation be so changed as to permit the re-allocation of those funds for any emergency defense needs which arise.

If it should happen that the present international crisis abates within the near future, and the National Guard is returned to state service, funds for them will thus be available. On the other hand, if the present emergency continues, and it becomes advisable to set up a Home Guard, a State Council of Defense and other similar defense agencies, the money not needed for the National Guard will be available for these purposes.

In conclusion, let me thank the members of this Legislature for the harmony and cooperation which have marked your deliberations.

Grave as are the responsibilities before us, serious as are the dangers confronting our nation, urgent as are our state and national need, laborious as are some of the tasks we face—the time has not yet come when Pennsylvanians cannot sit down together to work out their destiny.

The sons and daughters of our state have never sought the easiest way, but always the best way.

Permit me to assure you that you have my best wishes, my help and my full cooperation in the working out of the tasks before us.

LIEUTENANT-GOVERNOR LEWIS. In behalf of the General Assembly I want to thank you for your address. I believe it has given us much food for thought and something to do.

The purpose for which the Joint Session was called has been consummated. The Joint Session is now adjourned. The Senators will return to the Senate Chamber and resume their duties.

The SPEAKER (Elmer Kilroy) in the Chair.

The SPEAKER. The message of the Governor as delivered to the Joint Session will be spread upon the Journal in the proceedings of the Joint Session. The Budget and Supplement thereto will be printed in full in the Appendix to the Legislative Journal.

(For Budget and Supplement see Legislative Journal)

SENATE MESSAGE

TIME OF NEXT MEETING

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

In the Senate, February 3, 1941.

Resolved, (if the House of Representatives concur), That when the Senate adjourns this week it reconvene on Monday, February 10, 1941, at 4 o'clock p. m., and when the House of Representatives adjourns this week it reconvene on Monday, February 10, 1941, at 9 o'clock p. m.

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

On the question,

Will the House concur in the resolution of the Senate?

It was unanimously concurred in.

Ordered, That the Clerk inform the Senate accordingly.

COMMITTEE APPOINTED

The SPEAKER. Pursuant to the provisions of House Resolution adopted the twenty-eighth day of February, 1941, providing for a committee to arrange suitable services in the House of Representatives in memory of the birthday of Abraham Lincoln, the Chair appoints, Messrs. Shepard, Chairman, O'Connor, Harkins Rhea and Reagan.

PERMISSION TO ADDRESS HOUSE

Mr. ACHTERMAN asked and obtained unanimous consent to address the House.

Mr. Speaker, it was with mingled emotions that I listened to the address of the Governor just a few minutes ago, and at the same time endeavored to scan briefly his printed message to this House as it was contained in the biennial budget. I say "mingled emotions"—emotions both of fear and elation. Those are all emotions to be produced by a budget. I believe that possibly I am not alone in that feeling.

Let us discuss the fear that pervaded me, and just fleetingly, of course. I had visions before me when I heard the Governor say that we could accomplish all of this without any new taxes and I turned to his printed words not delivered to this House, in which he recommended the reenactment of all the emergency taxes. It caused fleeting emotions, or fleeting visions, to me of the Curtis Publishing Company which jumped across the river into New Jersey, and I could see that long list of manufacturers that he was so prone to tell us about just a few years ago leaving the State of Pennsylvania. Why? Because of the taxes enacted by the Democrats.

Of course, I realize the alibi that was given; I realize that just two years ago when this same Governor and this same Republican Party reenacted the taxes that they had gone throughout the State condemning, and they said, "Well, the reason for it is that conditions were so bad we cannot do away with them now, but we have given our

word and our promise that you need only wait two years and the tax reduction will be given to you."

You remember, don't you, just the same as I do, that two years ago your alibi was that the Democrats had left you a deficit as I recall of twenty-six million dollars; then last year, when you ran out of money your alibi was fifty million dollars which you said the Democrats had left you in the hole.

Now, turn to page five of this printed address which was not delivered over the air and look for your alibi. It seems as though Arthur is good in alibis. Just look at it; he has found another eight million dollars deficit which the Democrats left to him. Now it is fifty-eight million dollars, and just to be on the safe side, he says that the WPA short-changed him. The figures as I recall at the moment are thirty seven million dollars. It took him two years to find out about all this short-changing. First twenty six million dollars; then when he needs more money a fifty million dollar alibi, and now he needs some more, some sixteen million dollars more. He is now up to fifty-eight million dollars, and incidentally in his printed message he does not hesitate to tell you that it may be more than he will need. Alibis, nothing but alibis. Cannot your party, cannot this leader of yours bring something more substantial before this House and before the people of Pennsylvania than plain ordinary alibis? I could understand very well, after this course of treatment why the Curtis Publishing Company, why Walter Ford and why all of the other Republican manufacturers might decide that they ought to leave Pennsylvania, because haven't they elected, and haven't they put into office one of their own, one who had been trained as an executive? Oh, yes one from that group who was born to rule and all that he can produce for you is deficits. His deficits, mark you, run well over eighty million dollars. No wonder, this alibi claims an inheritance of a fifty-seven million dollar deficit, and the short-changing of another thirty-seven million dollars. He is not fooling anyone; he is not fooling you, he is not fooling the people of Pennsylvania.

Let us turn to some of the things he is talking about in his printed message, not the delivered message, in which he tries to say that this is the smallest budget that Pennsylvania has had in some considerable length of time. He is trying to say it is seventy-three million dollars less than in the preceding two years, meaning the last two years of the Democratic Administration.

May I read to you the record?

What he is asking for is four hundred thirteen million seven hundred ninety-four thousand dollars in the 1937-1939 biennium. If we forget the special appropriations the same as he has you will find the amount is four hundred and fourteen million one hundred and fifty-five thousand dollars, a difference of some four hundred thousand dollars, relief cut in half. Has he economized? Is he trying to economize? That is the story.

May I point out to you when he is talking of a deficit the record of the Democratic Administration for its four years. In the 1935-1937 biennium the Democratic Party had no deficit; it had a surplus of eleven million dollars. In the 1937-1939 biennium it had a deficit of twelve million dollars, a difference in the four years of one million dollars in an operation of four years, and that in spite of the fact that during that length of time the Democratic party paid off ten million dollars of bonds owing by the Common-

wealth of Pennsylvania which had not been incurred by the Democratic party.

Speaking of deficits, not in dollars and cents, but speaking of a deficit that is more vital to you, more vital to me, far more vital to the people of Pennsylvania, the Governor of Pennsylvania did not mention this particular deficit that I am about to mention, he did not call to your attention in his speech, his printed message, what he wished you to delay in doing. He did not state in his spoken word over the air that he was asking you to defer for another two years the obligation on the part of the Commonwealth to take over the County mental hospitals. He did not say to you that now for the first time he was going to endeavor to open the mental hospitals and the tubercular hospitals for that long waiting list. Can you think of a deficit that Pennsylvania incurred in human life and in human suffering, aside from the eighty million dollars which he has squandered? Every man here in the Hall tonight knows of the waiting lists of individuals in his county who are insane, who should be placed in the mental hospitals; every man also knows of the tubercular individuals confined in their beds at home or walking the streets, a menace to the rest of the people, who should be in institutions today, and should have been in the institutions two years ago. Two years ago, we pleaded with the Governor and with the Republican party to furnish the funds and the finances to take care of them. Is that a deficit? It would be a very marked and a very large deficit if it occurred to someone in your family; and it occurred in many families throughout the Commonwealth. Why did not the Governor, when he was naming the deficits put that at the head of his list, instead of now after two years of dilatory action toward the insane say "Now I am asking you to do it." Then, if you follow on in this printed address of the Governor of Pennsylvania his anticipated receipts, you will find that he is banking largely on increased revenue to make possible the balancing of this budget. He is hoping that improved conditions brought on for one reason alone, our National defense will make it possible to balance the budget in the coming two years. I have called this a budget. I suggest that every member read it, try to analyze it and see if you do not say it is "bridge-it" and not a budget.

I have heard an old expression, an old Biblical expression about Faith, Hope and Charity, and it ends with the greatest of all of these is Charity." I cannot help to some extent compare this budget with that Biblical expression, except this, there is little faith, a lot of hope and no charity.

Now, Mr. Speaker, as to the elation. I was indeed elated to hear the leader of the Republican party in his spoken word and in his printed message exhort the Republican party to again reenact the tax legislation passed six years ago, initiated by the Democratic party. Oh, I know how you men on the other side condemned those taxes, how onerous they were to you and how you complained they were destroying Pennsylvania, the entire Commonwealth was going to rack and ruin, and how you could do it so much better. Now we have had four years of your demonstration. With all the knowledge that you have in your party, with all the vaunted ability that you have maintained to the people of Pennsylvania, with all the vast resources that you have in the manufacturers to come and help you out, without mentioning your millionaires, you

have been unable to solve the problem. You cannot improve on that which I in a small way, together with my colleagues did for you six years ago, and I am beginning to think that, yes, the brains of this Commonwealth, the ability of this Commonwealth, the power to rule vests in the Democrats. You have disclosed your inability; after condemning us you have disclosed your inability to improve on this system that we established, the system that has met not only with the approval of the people of Pennsylvania but with the approval of the Republican party and its Governor.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I have been endeavoring to follow very carefully the studied remarks of the leader of the majority in reference to the budget. Unfortunately I have had no opportunity to study the budget, therefore, I am not familiar with the figures other than those given by the Governor here tonight. I might say however that I think from past experience I have some familiarity with the general finances of the Commonwealth, and I think that I have listened to a number of budget discussions, in the past, where deficits were juggled into the right side of the ledger in order to create a balance, but I never have heard quite so adroit a juggling as that which was engaged in by the leader of the majority tonight.

I am reminded of a story and I would just like to reply to the gentleman by relating it. I heard it in Washington last week. On behalf of Sidney Hillman, one of the members of the Defense Council, appeared a man by the name of Lubin, who in his discussion before the assemblage said that one time a friend of his who was a manufacturer of clothing with mills in Boston and in New York, had a number of his New York employees come to him and ask him for a twenty percent increase in wages on account of the living costs in New York being twenty per cent higher than they were in Boston. This man called in Mr. Lubin as a statistician and economist to take it up and figure it out for him. After taking into consideration everything that entered into the cost of living, he figured that the cost of living in New York was five per cent higher than it was in Boston. So he called in his employees and he said, "Boys, why are you asking a twenty per cent increase?" They said that the costs of living in New York was twenty per cent higher." He said, "well they are not, they are only five per cent higher." The spokesman for the employees got up and said, "Mr. So and So, if you are talking statistics while we talk facts, I cannot see why we should try to go any further."

I can only say to you that if the leader of the majority is going to talk statistics while the Governor talks facts,—and the facts are that there was an inherited deficit, that there were people that had to be put upon relief, that there were functions of the State Government which had to go on, that there is a deficit which has to be paid for,—if he wants to juggle those into some kind of a political declaration there is no use discussing on the floor of the House those statistics while we talk facts.

PERMISSION TO ADDRESS HOUSE

Mr. LEVY asked and obtained unanimous consent to address the House.

Mr. Speaker, approximately a week has passed since the Joint State Government Commission appointed by this General Assembly rendered its report to the membership of this House. Of such magnitude is the entire relief problem to the citizens of the Commonwealth of Pennsylvania and of such importance is the problem to each and every member of the General Assembly that I personally waited very anxiously for this important Committee to render its report.

However, Mr. Speaker in the foreword of this report I found a very interesting statement made by the Committee, which in my opinion should be quoted. Speaking of the serious problem of relief with its "ramifications" and "implications," the Committee had this to say and I quote "we approached this task on a non-partisan and non-political basis."

I might say, Mr. Speaker, that I have the utmost confidence in the integrity and honesty of the members of the sub-committee assigned to this particular subject and yet, Mr. Speaker, it is with the greatest reluctance that I must disagree with the statement made by the committee relative to the non-partisanship and non-political attitude with which they profess to have been guided in their approach to this problem.

Throughout the pages of this report I found no assemblance of non-partisanship. On the contrary, however, the deeper one studies the various investigations referred to and the ultimate recommendations cited in this report as a result of the sub-committee's studies and deliberations, one becomes convinced that the recommendations are not the result of non-partisan and non-political study, but apparently are conclusions based on the policy of a few of its members, or they must represent the voice of the Republican leadership in this state on the subject of relief.

It might be well in passing to mention a word relative to the recommendation of the committee pertaining to what they call the "liberalization of the social security act." I cannot fully understand why the committee recommended to this Legislature the liberalization of the social security act as passed by an act of Congress and subsequently amended, because they know very well that no action of this Legislature could possibly change one clause in the Federal act enacted by the Federal Congress.

On January 7th the Governor addressing a Joint Session of this Assembly referred also to the Social Security Board and I quote from his address. "I ask that this Legislature memorialise the Social Security Board to ask more generous interpretation of its regulations covering both pensions to the blind and to the aged so that Pennsylvania be not penalized for exceeding the standard set up by the Federal Agency."

Mr. Speaker, I would ask the Governor of the Commonwealth to clarify this statement, and by the same token I ask the Joint State Government Commission to clarify their recommendations concerning the liberalization of the Social Security Act. What imposition, if any has the Federal Social Security Agency placed upon the State Department of Public Assistance with regard to the liberalization of old age assistance in Pennsylvania? I regret to say that if the Governor and the sub-committee on relief had studied the Federal Social Security Act and its amendments, they would have not made such a meaningless recommendation to the Legislature. Anyone who is familiar at all with the Federal Social Security Act knows that it is mandatory on

the part of the State to determine the eligibility of old age assistance on a "needs" basis and this has been the rule ever since the Department of Public Assistance was created by the 1937 Legislature.

Mr. Speaker, I would ask that the Joint State Government Committee appointed by this Assembly to study relief be urged to write to the Federal Social Security Board, and I believe it is in Section 1 or Section 2 which states that assistance is granted on the basis of need and this is a regulation of every state of the Union. I would say to the Joint State Government Commission, which is Republican controlled, that they find out what provision on the part of the Federal Social Security Act hampers the officials of the Department of Public Assistance relative to old age assistance. I issue the challenge to the Republican membership of this House that if they wish to make it more liberal, if they wish to discontinue receiving federal assistance, they place on the statute books of this Commonwealth a liberal old age pension.

The reference made by the Joint State Government Committee to amend the Federal Social Security Act which permits the matching of Pennsylvania payments to the blind, which is on a liberal basis, is also a meaningless gesture on the part of this Committee. We who served in the last session are well acquainted with the attitude of the Republican party toward the blind of Pennsylvania, because it was only after insistence by a small Democratic minority in the House at that time that the amendment repealing the liberal blind pension act in Pennsylvania was taken out of the Van Allsburg bill of 1939. The members of the 1939 session will recall quite vividly that it was only after we had read into the record of this House, and reminded the Governor of his promise to the blind of Pennsylvania in October 1938, that we saved for another two years the liberal blind pension which was enacted in the 1937 Department of Public Assistance Act under the term of George H. Earle as Governor.

However, Mr. Speaker, the recommendation of the committee regarding Social Security is not the serious aspect of this report, because I feel the recommendation affecting the entire state set-up as it is presently constituted, is the real danger which might develop, because in the very next recommendation which this committee offers, it asks the Legislature to adopt and enact legislation which would place the granting of assistance and the control of relief in the hands of a local county board. I would say to the Joint State Government Commission that in this request they not only disturb their relations with the Federal Government, because in the Federal act under Section 2, subsection A, it distinctly states that this sort of a procedure is a direct violation of the Federal Social Security Act.

The committee also recommends that the county board should be a autonomous. The committee further recommends that they should be granted full power to operate their county organization. Just what does this mean? To me, it means nothing more nor less than a decentralization of relief in Pennsylvania, and the absolute control of its operations and disbursements through local county boards. Can the sub-committee of that committee deny to this House that that has been the policy of the Republican party regarding relief and is the policy today. Does that sound like recommendations made by a committee who has made a careful non-partisan and non-political study? I challenge tonight, Mr. Speaker, that in all the investiga-

tion and study made by this sub-committee that there is nothing in this report that leads one to believe that the road to Utopian relief in Pennsylvania is the return of the control of relief to politically inspired county boards.

Mr. Speaker, I desire in passing, and I address my remarks to the Committee that if this be the case I would like to know what is the real basis for such a recommendation. Can it be that the Republican party in Pennsylvania is admitting that the appointment of the Secretary of Public Assistance has been a bad one? Can it be true that this committee suggests that the Secretary of Public Assistance and his state office has been derelict in their respective duties? Can it be true that the policies, rules and regulations emanating from the State Department of Public Assistance have not been in accord with the policies of the Republican party and their attitude toward relief? I challenge the committee to answer in all or in part some of these inferences that must be inevitably drawn from their recommendations made to the Legislature regarding autonomy of the local boards.

Mr. Speaker and members of the House, because the city of Philadelphia commands probably the greatest amount of funds for relief comparable to any given combination of counties, it might be well for the members of the Legislature to know something about the complex of the local board in Philadelphia and its executive director to whom this committee wishes to transfer the authority relative to the disbursement of relief.

First, let me mention that the board in Philadelphia is not at present a non-partisan board but is a board composed chiefly of Republicans. The majority of them have never had any previous experience in relief work. It is my understanding that in other counties the boards are more impressively Republican and I have reliable information that in one county the board is composed of six coal operators who have never had any experience regarding matters pertaining to relief and special assistance. However, coming back to Philadelphia it might be well to bring to the attention of this House that the executive director in Philadelphia elected by the local board and who incidentally is the chief administrator of relief in Philadelphia, prior to his assuming this office, never had any theoretical or practical training regarding relief problems. Because of his ignorance in relation to problems of this kind, he has caused chaotic conditions in the relief set-up in Philadelphia and in fact it is now a matter of record that practically all the qualified, efficient and matured personnel surrounding him in the executive offices have voluntarily left their employment. I wonder why the sub-committee investigating the relief problem did not include this information in their report to the Legislature. I also would like to know why the committee in its condemnation of the visitor personnel did not also place into the report the information that in New York City, a comparable city to Philadelphia the case load per visitor is fifty to sixty-eight, whereas in Philadelphia county the case load per visitor averages from one hundred seventy-five to two hundred. I wonder why the committee in its report did not inform the Legislature that the conditions under which the visitors work has necessitated a twenty-five per cent personnel. I wonder why the committee did not stipulate how much it cost the administrative Department of Public Assistance to hire new

personnel every six months or every year. From authoritative sources I have learned that it costs the Commonwealth of Pennsylvania six hundred dollars every time they replace a new visitor or investigator, because for the first six months a new visitor or investigator carries only about one third of his or her regular work.

Mr. Speaker, I might hesitate in objecting to the decentralization of relief set-up in Pennsylvania so that control might be placed in the hands of the local boards, if it were not for the fact that since the inception of the James administration we have had unqualified men and women who do not possess the slightest knowledge of the very difficult problem of relief.

In Philadelphia the executive director is not at all competent to perform his duties, nor has he in the majority of cases followed the instructions laid down by the 1937 Public Assistance Law, nor has he subscribed fully to the intent and purposes of the Act in its relation to the authority vested in the State Department of Public Assistance.

Mr. Speaker, this Joint State Government Commission asks the members of this House to adopt legislation by taking authority out of the State government and placing it in the hands of local boards, and it will be placed back into the hands of political constituted boards who are neither non-partisan or competent. I say to you, Mr. Speaker and members of the House, that if these recommendations were to become law, the entire program of the Goodrich Committee whose work resulted in the great Public Assistance law of 1937 would be destroyed, and be supplemented by sixty-seven boards far worse than the local poor boards which were denounced by every decent citizen of the Commonwealth and also a majority of the press in the Commonwealth.

Mr. Speaker, this subject is a large one. It requires a great deal of thought. I intend in later days of this session to continue my criticism of the Committee.

I will say to the Committee that if they studied this subject on a non-partisan and non-political basis, then certainly the findings of the Committee would not have brought back the recommendations which I have discussed and if they had looked at the situation in a non-partisan and non-political basis, then they would not have requested this Legislature to go back to the old local poor boards, and that is exactly what they intend to do.

PERMISSION TO ADDRESS HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, I am conscious of the fact that the hour is growing late and that the membership of the House has been treated to quite a bit of discussion this evening, and therefore it is more than likely tired and not anxious to hear a lot more. But, Mr. Speaker, I cannot, as the Chairman of the Joint State Government Commission, permit the remarks of the gentleman from Philadelphia to go unanswered, insofar as they pertain to any question of partisanship.

I do not think it is either a fair statement or a proper statement for a Member of this House to make on purely a survey of some recommendations of this report with which he does not agree. I want to say to you, Mr. Speaker, that the membership of the sub-committee on

relief worked diligently from the summer of 1939, and I know of no instance in the deliberations of that sub-committee, or later in the deliberations of the Joint State Government Commission, in considering this report, when there was any discussion of politics in relation to relief.

The gentleman from Philadelphia said he is going to study this report and have some further remarks. It seems to me that the remarks of the gentleman from Philadelphia should have been preceded by a further study before he made his opening remarks. It seems to me he should have taken the time and the trouble to have interviewed some of the members of the sub-committee on relief, and the gentlemen of the Joint State Government Commission in order to ascertain just exactly how this investigation was made and how this report was made up. True there may be some parts of this pertaining to relief and some of the program on which there may be no comment within this report, but it was not humanly possible for this committee or any other committee, with the funds that were available and the time which was available, to go into every ramification of relief in New York state or Wisconsin or California, although there are tables of comparative statistics from other states which it was possible to gather. I do not believe that there has been a week since the summer of 1939 that the sub-committee on relief has not in some way met, and many times it met possibly two or three days that particular week, and, remember, these members of the Commission received no additional compensation or remuneration for their services.

I do not object to any member of this House having a difference of opinion with the committee or with its conclusions or its recommendations. I do not object that any member of the House feels that the committee has not investigated some form of relief which he feels should have been investigated. But for a member of this House to say, and after the arduous work that the Committee did, and I say that, notwithstanding the fact that I was a member of that Committee, for any member of this House to pick up a report and then charge partisanship to the Committee is neither a proper statement nor a correct statement, and I would be derelict in my duty and in my responsibility to my fellow members on that committee if I did not arise upon the floor of the House to make this statement.

I do not intend to answer all of the criticism of the gentleman from Philadelphia, because it went on so long, touching so many points, that it reminded me of a Mother Hubbard dress which covered everything but touched upon nothing.

Nevertheless, there are two or three points which I want to answer. First, the question of autonomy for the local boards. If the gentleman from Philadelphia will study the report, if he will go back and study other reports made by other commissions and committees of the House he will find almost invariably that every legislative committee we have ever had has recommended that there be some form of local control over relief, that there be more power placed in the local board. He has only to turn to page eleven of the report and he will find that in 1935 a committee created by House Resolution 110—and by the way possible it would be improper for me to inject politics, but it seems to me in my dim recol-

lection that in the session of 1935 the majority of this House was a Democrat majority, and the majority of the Committee that was appointed under that resolution was a Democratic committee. That committee had this to say: "Relief administration should be decentralized and the local boards should be given authority to make such rules as will provide reasonable relief at a minimum expense to the taxpayers."

Although there have been something like twenty committees, including the Goodrich Committee, which were appointed to study this question of relief, almost invariably every committee which has ever been appointed by this Legislature to study this question of relief, has recommended that it be returned to the County insofar as the administration of relief is concerned, in order that we might secure the best administration, in order that the cost of relief might be reduced to a minimum, and that only those who were deserving of relief might receive it.

For the past year I have been a member of the committee appointed by the Council of State Governments to study this question of relief on a nation-wide basis, and on that committee sat both Democrats and Republicans. They were Democrats of the calibre of the Speaker of the House of Representatives of Virginia, whom I recall very clearly. I also recall a Senator from the state of Indiana and another from the state of Arkansas, and I might go on down the line naming men who were on that committee, to show that it was a by-partisan committee and not selected because of their political affiliations or persuasions. I want to say to you that in the first meeting of that group, notwithstanding the fact that many of us had never met each other and that we came from different parts of the country, notwithstanding the fact that we were of different political faiths, the unanimous opinion of that committee was that relief to be properly administered and in order to see that only those entitled to relief might have it, should be returned to the counties and put as close to local administration as possible.

The gentleman from Philadelphia cited the Social Security Act, to show that you cannot take it back to the Counties. I say to you that Pennsylvania is one of the very few states of the Union that pays all the relief and administers it from a central point. In the deep south they do not have direct relief as we have it. They have only WPA there. In some other states they have a combination which leaves the relief problem in the hands of the local community to administer it and to provide the funds for relief. In some other states like New York, it is done on a sharing basis. That State pays forty-five per cent of the cost and the local community pays fifty-five per cent. When the gentleman from Philadelphia made the statement that we must have known that we could not do these things, or that if we had made a study of the act we would have known we would not do these things, I say to him the answer is that the facts as shown by the statistics of the different states refute the argument of the gentleman from Philadelphia.

The gentleman from Philadelphia seems to have taken quite some umbrage about a statement and recommendation in reference to the liberalization of the Social Security Act. The Joint State Government Commission did not consider that this report was being made to a group of morons; they considered it was being made to a group of

legislators who would of course know the sphere in which we could legislate and the sphere in which the Federal Government must legislate. We, of course, knew that it would take some memorializing of Congress, that it would take action on the part of Congress and of the Social Security Board in order to secure the necessary amendments. The Board says clearly that the Federal Social Security Act should be amended to permit Pennsylvania to make payment to the aged on a more liberal basis. If the gentleman from Philadelphia would study the Social Security plan, he would know that the plan says that we must allot to the blind and the aged on the basis of need, and because of the fact that Pennsylvania gives so liberally to the blind it is penalized to the tune of four million dollars every biennium. That four million dollars every biennium could help the distressed school districts of the Commonwealth. The gentleman from Philadelphia certainly ought not to oppose any request that says to the Federal Security Board "Liberalize your laws to bring them up to the standard of Pennsylvania in reference to the blind, liberalize them in reference to the aged." I say this because they put the amount which they are to receive not on the question of need alone but also on the question of family budget. The members of the Joint State Government Commission felt that should be reduced, and we feel that if the Social Security Act were to be liberalized so that we would not be penalized on the aged as we are on the blind, we might have an opportunity to do something more for the aged than we are able to do now in Pennsylvania.

Therefore, Mr. Speaker, I will not take up any further time of the House other than this answer which I have attempted here to make. I would suggest, however, that the gentleman from Philadelphia give more critical study to this whole problem, and if he will come to the offices of the Joint State Government Commission I am sure they will sit down with him and explain away many of the foggy points which he talks about as being non-partisan, but which are the result of the efforts of the Joint State Government Commission to secure the best system of relief we could, and to secure it for the people who really need it and to prevent those who have no right to be on the relief roll from being there.

PERMISSION TO ADDRESS HOUSE

Mr. LEVY asked and obtained unanimous consent to address the House.

Mr. Speaker, I regret very much that the gentleman from Delaware has taken more or less personally the criticism, not to his chairmanship, but to the committee. I hoped at the outset that I would impress on the gentleman from Delaware that this was not a personal attack upon the committee, but an attack upon its recommendations, and when I stated on this floor that the Joint State Government Commission in my opinion had not rendered a non-partisan and non-political report, I meant that they distinctly and I meant every word I said, not as a matter of personal feeling toward any member of the committee, but gentlemen, it is only natural that a committee composed of Republicans should naturally infuse into their findings the policies of the Republican party on relief.

The gentleman from Delaware, Mr. Turner, says that it is natural that we should ask for the liberalization of old age assistance relative to the Federal Social Security Act.

My challenge was very clear. Mr. Turner mentioned something about family budgets. There is nothing in the Federal Social Security Act that makes it mandatory upon the state to consider family budgets in old age assistance, and I challenge the gentleman from Delaware to show me the provision in that act which makes it mandatory. I did not mean anything personal, but I know that the Department of Public Assistance through its local boards especially, and probably the executive director, especially in Philadelphia, feels that that should be included, they have made it a policy in Philadelphia. That is one of the fallacies I want to bring before this legislature. The Federal Social Security Act about which the Governor screams aloud and which is made an issue by the State Government Commission, does not stipulate at any time that there shall be grants computed on the budget plan in regard to old age assistance.

The Federal Social Security Board, however, which is created by the act suggests to the State, it does not make it mandatory, it suggests that where an applicant is a member of a family and where there are additional funds available for his or her use, then and only then shall the State take into consideration the fact that they might include a family budget, and that gentlemen, is merely a suggestion.

What has the State Department of Public Assistance done under this liberal Governor? I shall tell you what they have done; they have interpreted the policy of the Federal Social Security Board to mean that it is mandatory and they do not even take the mandatory provision but they say that if the applicant has a son or daughter or any legally responsible relative in Pennsylvania or in any other state in the Union, and they in some manner through some court of law obtain a support order on that person, then immediately the State Department of Public Assistance cuts down the grant to the individual applicant and in most cases takes it away entirely.

There is no provision in the Federal Act for such an instance and the Chairman of the Joint State Government Commission, and I believe the members of the State Government Commission know it because they could not have studied the Federal Act and still not know its provisions. I would say to the gentleman from Delaware, Mr. Turner, that in addition to the liberalization of old age assistance I wonder what the Joint State Government Commission meant when in Section 8, Article E on page 6 of the recommendations they had this to say: "Organizations of employees under civil service should not be affiliated with labor unions. Employees subject to civil service have the right to form any organization within their own department." I ask you, gentlemen of the House, has not this been the policy of the Republican party in Pennsylvania, to attempt to stamp out affiliated unions and replace them with company unions and that is exactly what this section says.

I challenge the gentleman from Delaware to answer that statement.

I thank you.

PERMISSION TO ADDRESS THE HOUSE

Mr. TURNER asked and obtained unanimous consent to address the House.

Mr. Speaker, my father always taught me that anybody who would take a dare would steal sheep, but in this

instance I feel that I cannot let the gentleman from Philadelphia get away with his challenge when he dared me to answer that question. I could possibly keep the membership of this House here for the next hour and I am confident Mr. Levy would keep you here for the next one after that and then throw out another challenge which if I would answer would take up another hour.

Having served in the House with the gentleman, I am quite familiar with his proclivities in answering at length. The committee made a careful investigation and the committee gave careful consideration to this question and that was the deliberate opinion of the committee notwithstanding all of the other issues which the gentleman from Philadelphia has indicated. It has nothing to do with the union question. The Committee was not opposed to labor unions, it did not say that it was, and it isn't. I believe that every member of the Committee believes that labor unions have their proper place and their proper function. The laws of Pennsylvania which have been passed in the last forty years, it seems to me, have recognized that. I recall voting for a lot of bills that passed in recent years that definitely recognized the rights of labor unions to do certain things.

Mr. Speaker, I cannot get past the fact that I do not believe we should have an organization among civil service employees who are working for the state to have affiliations with an organization that has outside affiliations involved in other problems that do not involve these people in the state employ. We know the report states very distinctly and very clearly what the ill effects have been, and we made that recommendation, and we stand by that recommendation. We will not make any apology for that recommendation because it has nothing to do with the problems involved in the ordinary principles, ideals and aspirations of labor insofar as they pertain to unions.

Our employees in the state who have civil service have a perfect right to belong to any organization they may care to form within their own group for their own advancement, but there are too many insidious things that enter into it when a group such as that with which some of our departmental employees are affiliated extend their tentacles into the department that has something to do with relief.

No relief client needs the help of any agency to get relief. Relief should be known to be free and open. The investigator and the person dealing with it should be as far away

as possible from any partisanship away from any affiliation with any group of any kind and especially with any subversive group that has for its object the destruction of our form of government. That is the thing that persists in some departments and among some employees, and should be voted out. That is the kind of thing this committee is aiming at.

REPORT FROM COMMITTEE

Mr. READINGER from the Committee on Rules, reported as amended, House Resolution No. 2.

COMMUNICATION

The SPEAKER laid before the House the following communication which was read by the Clerk:

My dear Mr. Rush:

May I express, through you, my thanks and appreciation to the Members of the House of Representatives for the resolution in tribute to my father, Colonel Campbell. It means much to me that he was so respected and admired, and I am proud and deeply grateful for your recognition of his Christian character.

Sincerely yours,

MARGARET CAMPBELL SWENEY

515 East 22nd Street,
Chester, Pennsylvania.
January 27, 1941.

COMMITTEE MEETINGS

The following Committee meetings were announced:

Agriculture, Tuesday at 11 A.M. in Room 329.

Fisheries, Tuesday at 10:30 A.M. in Room 324.

Forestry, Tuesday at 2 P.M. in Room 522.

Judiciary General, Tuesday at 10 A.M. in Room 330.

Judiciary Special, Tuesday at 11 A.M. in Room 330.

Highways, Tuesday at 11:15 A.M. in Room 324.

Townships, Tuesday at 10 A.M. in Room 329.

Insurance, immediately in Room 330.

Motor Vehicles, immediately in Room 324.

Education, Tuesday at 2 P.M. in Room 324.

ADJOURNMENT

Mr. HARE. Mr. Speaker, I move that this House do now adjourn until Tuesday, February 4, 1941, at 1 P.M.

The motion was agreed to, and (at 11:10 P.M.) the House adjourned.